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THE HISTORY OF
THE PARISH & GRAMMAR SCHOOL
OF
SEDBERGH





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THE HISTORY
OF
The Parish and Grammar School
OF
SEDBERGH,
YORKSHIRE.
BY A. E. PLATT.



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In reading this, will none, perchance, find pleasure.

But yet full oft a little vessel gaineth
The harbour safely, where is drowned in entering
A lofty ship, for she light load containeth.

GIAN MARIA FILELFO, 1471.

P R E F A C E.



ALTHOUGH, perhaps, so slight a sketch as this little work is hardly worthy of a Preface, I feel obliged to say a few words in explanation of my presumption in appearing in print at all. The History of our Parish and Grammar School was first written for the *Sedbergh Magazine*, and is reprinted from that in an enlarged form; and the idea of it was first suggested to me by the knowledge that there were numbers of papers belonging to the Grammar School which few persons seemed to be acquainted with. These I have been allowed to read, and as (fortunately for my ignorance) they are almost all in English, I have compiled my History in great part from them. I should remark, that among these and other papers which have been kindly lent me, there are some which are imperfect and unintelligible for want of other papers to explain them, and these, though interesting in themselves, I have not been able to make use of.

I take this opportunity of offering my hearty thanks to those friends who have helped me by the loan of books, papers, and registers, and by information of various kinds; and I hope my book may be interesting to the inhabitants of this, in my opinion, most beautiful valley, who will now learn, I flatter

myself, in some cases for the first time, the part that old Sedbergh has played in the history of England. I conclude in the words of the historian of the heroes of Judæa: "And if I have done well, and as is befitting the story, it is that which I desired: but if slenderly and meanly, it is that which I could attain unto."

Sedbergh, September, 1875.

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THE HISTORY OF SEDBERGH.

CHAPTER I.

THE parish of Sedbergh is in the wapentake of Ewecross, and in the north-west corner of Yorkshire, the river Lune dividing it from Westmorland. The town lies at the foot of Winder, a mountain whose summit is about 1,500 feet above the sea, in a wide valley, from which branch off Cautley, Garsdale, and Dent, all long narrow dales, of great romantic beauty. The parish also includes Howgill, a hamlet on the eastern bank of the Lune, which river divides Sedbergh from Kirkby Lonsdale parish, one of whose chapelries, Firbank, is on the opposite side of the river from Howgill. All these valleys have a river (or beck) running through them, the Sedbergh river, called the Rother, rising behind Wild Boar Fell, and running down Cautley, receives the streams from Garsdale and Dent; and falls into the Lune about two-and-a-half miles below the town. The mountains surrounding Sedbergh are of various form and colour, and at all seasons of the year the country is exceedingly beautiful. There is very little corn, but the pastures are good, and a great quantity of butter is sent away to other places. In the town there are about 700 inhabitants, and a rather larger number scattered about the parish. The houses are built of the stone of the country, hardly ever of brick, and are almost invariably roofed with stone or slate. According to Dr. Whitaker (to whom I am indebted for most of my information), Sedbergh was, before the Norman conquest, part of the parish and deanery of Kirkby Lonsdale. He thinks that the name of the parish is derived from the common Saxon name of Sadda, whose berg or fortified hill, now called Castle Tower, is still to be seen. Mr. Phillips, in his book on Yorkshire, conjectures that it is derived from the tribe of the Setantii, whose

port (Setantiorum Portus) is commonly supposed to have been the mouth of the Lune. The author of "Yorkshire Past and Present," gives the broad or firm hill or fortress, as the meaning of Sedbergh, in the language of the Angles, who displaced the earlier inhabitants of Yorkshire, and founded the kingdom, afterwards the earldom, of Northumbria. I am unable to decide between these different opinions. Besides this berg, or fortress, there are near the town traces of a Roman encampment. Sedbergh was formerly, as we learn from ancient charters, in Lonsdale, and was made a separate parish probably about the time of Henry I. (1100-1135), and soon after those parts of Lonsdale which are now in Westmorland and Lancashire were separated from the Eurewickschire (Yorkshire) of Domesday Book; but all the ten parishes in the deanery of Kirkby Lonsdale remained under the same diocesan, the Archbishop of York, and in the same archdeaconry (Richmond). The church of Kirkby was no doubt the original church of the valley, but there were many chapels in the distant parts of the parish, most likely on the sites of the churches which were afterwards built as they were required. The clergy who served these chapels were supported by the offerings of the faithful, as there was no glebe or portion of tithes set apart for them until the chapelry became a parish. In Domesday Book Sedbergh was mentioned as dependent on the superior manor of Whittington, and, like the rest of this neighbourhood, was part of the king's lands. I cannot find any evidence as to whether this part of the county suffered in the general devastation of Yorkshire by William the Conqueror. Sedbergh Church, dedicated to St. Andrew, was probably built within a hundred years after the Conquest (1066), and from its peculiar architecture, which resembles that of most of the churches in Ewecross wapentake, it is supposed that the great Roger de Mowbray, "one of the most devout and munificent men of his age," must have had some hand in the building of it. It is built of the stone of the country, and now that the roughcast, which used to disfigure it, is removed, the outside is handsome. It has three bells, one of which at least must have been cast before the Reformation, as in the inscription on it the title of Queen of Heaven is

given to the blessed Virgin Mary. The following is an exact copy of the sentences engraved upon the three bells : —

1.

Hæc campana Sacra fiat Trinitate Beata.

May this bell be blessed by the Holy Trinity.

2.

Coelorum Rex placeat tibi rex sonus iste.

Christ the King of Heaven may this sound please Thee.

3.

Concipiens & pia Virgo coelum rega.

Pious Virgin, Mother of Christ, Queen of Heaven.

One of these bells is unfortunately cracked. There is a centre and two side aisles, the arches and pillars being of various sizes and heights, most of the arches are round. There is no decoration of any kind in the church, but there are in some of the seats fragments of old oak carving, in all probability portions of a rood screen which existed within the memory of some now living. The altar steps are of black marble, and the font also, which is large and handsome. The church is much disfigured by a gallery and pews of various shapes and sizes, but there are many open seats of old, almost black, oak. There are no monuments earlier than the seventeenth century. In the churchyard formerly stood two old yew trees, which have been blown down within the last few years, and only a fragment of one is remaining. In former times the custom of burying in the church seems to have been very general. There was a cross standing in the Market Place adjoining the churchyard on the north, but the last remains of it, and the stone steps it stood on, were taken away some years since by private persons, and may now be seen used as gateposts to a farmyard, some ten miles from their original position. To return, however, from the old church to its supposed founder or benefactor, Roger de Mowbray, Earl of Northumberland in 1138. He was one of the barons who met to consult with Archbishop Thurstan on the defence of the country from the Scots, who invaded the north of England under their King David, claiming the earldom of Northumbria for their Prince,

whose wife was the daughter of the great Earl Waltheof, dispossessed and killed by the Conqueror. The "illustrious chiefs of England, by blood and race Normans ; before whom bold France trembles ; to whom fierce England has submitted ; under whom Apulia has been restored to her station ; and whose names are famous at Antioch and Jerusalem," as they were called by one of their leaders, assembled near Northallerton, under Walter d'Espece, and Thurstan, Archbishop of York, and Randolph, Bishop of Orkney, and there was fought the battle of the Standard (so called from a standard with a crucifix, which was fixed on a car, with the banners of St. Peter of York, St. John of Beverley, and St. Wilfred of Ripon), in which the Scots were completely defeated. Roger de Mowbray went twice to the Holy Land, and according to one account was taken prisoner on his second expedition by Saladin, died, and was buried in Palestine. He possessed, and his descendants after him, until the reign of Edward II., large estates in Yorkshire. The whole of the wapentake of Ewecross, from the north-western point of Craven to the border of Westmorland, was one of his baronies, and the chief seat of it was the Castle of Black Burton, in Lonsdale. The mesne lords of Sedbergh, Dent, and Staveley, were descended from Aykferth, a noble Dane, who, in the days of Knut, the Danish King of England, was lord of Askrigg, Dent, and Sedbergh. Dr. Whitaker saw on an old stone cross, dug up in Lancaster churchyard, and of about the time of Knut, the names of four Danes of whom Aykferth was one ; and he thinks this Aykferth was probably the aforesaid lord of Sedbergh, from whom, and from his son Arkyl, descended two lines, one of which took the name of Thoresby, and the other that of Staveley. Of this family we hear of Adam, lord and baron of Staveley, Dent, and Sedbergh, who is supposed to have built Clapdale Castle, at Clapham, in the days of King John (1199-1216). There is an agreement extant between him and William de Mowbray, dividing between them the rights of free chase, in which Mowbray, the chief lord, reserves to himself the stag and the hawk ; while the mesne lord was only to chase the hare and (which was then a privilege) to destroy the wolf.

Adam de Staveley died 1225, and left a daughter and heiress, Alicia, who married Henry Fitz Ranulph, lord of Ravensworth. To him was granted in the 35th year of Henry III. (1247) free manor in Sedbergh, Dent, and Garsdale, and in his family, afterwards called Fitzhugh, these manors remained down to Henry, Lord Fitzhugh, who died 1424, the second year of King Henry VI. ; but his son William, Lord Fitzhugh, does not appear to have held them. One of his family, Elizabeth, daughter of Henry, Lord Fitzhugh, fifth baron, married Sir William Parr, of Kendal, and their son, Sir Thomas Parr, was father of Catherine Parr, sixth wife of Henry VIII. Agnes Parr, the granddaughter of Sir William Parr and Elizabeth Fitzhugh, married Sir Thomas Strickland, of Sizergh. To whom the manors of Sedbergh, Dent, and Garsdale were granted after 1424 I do not know, but early in the reign of Henry VII., Edward Stanley was lord of one moiety of the manor of Sedbergh. This gentleman was the "stout Stanley" mentioned in Sir Walter Scott's "Marmion," who was told to

"charge with spur of fire,
With Chester charge, and Lancashire,
Full upon Scotland's central host,
Or victory and England's lost."

No doubt he was also accompanied by Yorkshire men "stern of mood," probably by some of the tenants of his manor here. He was son of Thomas Stanley, first Earl of Derby (who crowned Henry VII. on the field of Bosworth), and was made Lord Monteagle, the year after the battle of Flodden Field, by King Henry VIII., in consideration of his bravery, and because he had contributed by "extraordinary valour at the head of a body of archers" to the defeat of the Scots, from whom he won a commanding position on the field. He was also made a knight of the garter. "This nobleman's birth," says Banks, "his active childhood, and martial spirit, had brought him early to Henry the Eighth's notice and company, and his aspiring manhood to his service. The camp was his school, and his learning was a pike and sword. Whenever his Majesty met him his greeting was, 'Ho, my soldier!' Twice did he and Sir John Wallop land, with only eight

hundred men, in the heart of France, and four times did he and Sir Thomas Lovel save Calais; the first time by intelligence, the second by stratagem, the third by valour and resolution, the fourth by hardship, patience, and industry." (See "Burke's Extinct Peerages.") He died in 1523, and was succeeded by his son, Thomas Stanley, who married Mary Brandon, daughter (by his second wife, Anne Browne) of Charles, Duke of Suffolk, the brother-in-law of Henry VIII., and left a son, Sir William Stanley, who died in 1581, when the barony of Monteagle devolved upon his only daughter, Elizabeth, who married Edward Parker, Lord Morley. Their son, William, was the Lord Monteagle, to whom was addressed the celebrated letter by which the Gunpowder Plot was discovered. This Right Honourable William Parker, Lord Monteagle "was (as appears from a statement made by Mr. Strickland, in a suit relating to the manor of Sedbergh) heretofore not only owner of severall customary tenements within the hamlets of Cautley and Dowbiggin, Frostra and Soulbank, Marthwaite, Howgill, and Bland, but seized in fee or of some other good estate of inheritance of and in the manor or lordshipp of Sedbergh aforesaid, as Chief Lord or Lord Paramount of the same." On the 13th of January, in the thirty-eighth year of the reign of Queen Elizabeth, Lord Monteagle, for the sum of 410*l.*, "did grant, bargain, and sell unto John Corney, Henry Sawyer, and Richard Willan, and their heirs, severall tenements within the said hamlets, in the parish of Sedbergh aforesaid, together with all and singular houses, edifices, buildings, barnes, stables, orchards, gardens, lands, rents, reversions, suits, services, meadows, pastures, feedings, commons, common of pasture and turbary, woods, underwoods, waters, ways, easements, liberties, profits, emoluments, hereditaments, and appurtenances whatsoever thereto belonging." The paper from which I quote the above particulars is my only authority for the history of the manor after the time of the Stanley of Flodden, and it is imperfect and very obscure. It is dated 1732, and is the answer of Thomas Strickland, Esq., of Sizergh, to the Bill of Complaint of James

Birkett, Simon Washington, and others. He admits that, in the tenth year of Queen Elizabeth, Richard Lowther and John Featherstonhalgh, Esqs., were mesne lords of a portion of the manor of Sedbergh, and that before that time courts had been held (in the thirty-eighth of Henry VIII. and first of Elizabeth) by, or in the names of, Sir John Lowther and Michael Featherstonhalgh, but considers that this did not furnish sufficient evidence that they were supreme lords of the manor. Mr. Strickland further states that in February, in the forty-third year of Queen Elizabeth, Roger Otway, Esq., of Middleton, Thomas Scryven, and Richard Theakstone granted and conveyed to Sir Thomas Strickland, Knight of the Bath, in consideration of 600*l.* paid by him, all the manor and lordship of Sedbergh, late in the possession of Lord Monteagle, with all rights and privileges belonging to it; and by a deed of the same date, Richard Theakstone conveyed to Sir Thomas Strickland and his heirs "all that moiety and half part or portion of the manor of Sedbergh with the appurtenances, formerly part of the possessions in inheritance of Gregory Fiennes, Lord Dacres of the South, commonly called or known by the name or names of Scrope's Lands." These lands were probably named after Geoffrey le Scrope, the benefactor of Coverham Abbey, whose grandson, Stephen, possessed the manor of Sedbergh. Stephen's son, Henry, lost his head for conspiring against Henry V., and is best known from the mention of him by Shakespeare —

"But O !

What shall I say to thee, Lord Scroop, thou cruel,
 Ingrateful, savage, and inhuman creature.
 Thou, that did'st bear the key of all my counsels,
 That knewest the very bottom of my soul,
 That almost might'st have coined me into gold,
 Would'st thou have practised on me for thy use.
 May it be possible that foreign hire
 Could out of thee extract one spark of evil
 That might annoy my finger? 'tis so strange
 That, though the truth of it stands off as gross
 As black from white, my eye will scarcely see it."

All his estates in Richmondshire were granted to Henry, Lord Fitzhugh, to hold while those lands should continue in the

king's hands, and some of them were afterwards granted him for life. But in the 2nd Henry VI. all Sir Henry le Scrope's lands were granted to his brother Thomas, whose family became extinct in the male line in 1517.

In this statement of Mr. Strickland's are many names of former landholders in Sedbergh. Sir Richard Shuttleworth, Knight, Ralph Featherstonhalgh, Esq., Richard Duckett, gentleman, Mr. Crackenthorpe, Sir Christopher Pickering, and others, who, or their successors, are said to have appeared at the courts held by Mr. Strickland's ancestors. He admitted that he could find no record of courts held by them between 1606 and 1652, but attributed the absence of evidence during this interval to the late unhappy civil wars, when Sir Robert and Sir Thomas Strickland, his great grandfather and grandfather, had been plundered and sequestered, and their papers probably stolen or destroyed. For want of the statements of the other party to this suit, I have found it impossible to get a clear idea of the matter in dispute ; but it seems that there was a doubt whether Sir Thomas Strickland had or had not sold his rights to Sir Henry Widderington, Sir Nicholas Tempest, and Sir Francis Boynton, Knights, and Allen Chambre, gentleman, and they, or some of them, had in turn sold them or part of them to other persons. Perhaps this Sir Henry Widderington may have been descended from the Witherington of Chevy Chase —

“Then stepped a gallant squire forth,
 Witherington was his name,
 Who said, I wold not have it told,
 To Henry our king, for shame
 That ere my captain fought on foot,
 And I stood looking on.
 You be two earls, sayd Witherington,
 And I a squire alone,
 I'll do my best that doe I may,
 While I have power to stand ;
 While I have power to wield my sword
 I'll fight with heart and hand.
 For Witherington needs must I wayle
 As one in doleful dumps ;
 For, when his legs were smitten off,
 He fought upon his stumps.”

It was not denied that Sir Henry Widderington and Sir Nicholas Tempest had sold to Richard Willan and his heirs, on the 6th of February, 1616, a certain messuage and tenement then in his possession, of the yearly rent of 3*s.* 3*d.*, with all rights thereto belonging, to be holden of the chief lords; but Mr. Strickland said he did not know of, or believe in, any other conveyances or grants said to have been made. The complainants accused the defendant (Mr. Strickland) of coming into the manor with "firearms or other arms, accompanied with numbers of papists or other persons," and threatening to "fill the gaol" of the county of York with the freeholders and inhabitants of the said manor; all which he denied, except that in June, or July, 1734, he was going to view the slate quarries upon Baughall, and there being plenty of moor game there, "he, for his diversion, took a fowling-piece along with him to shoot some of the said game, and in his way thither stopped at a public-house in Sedbergh, and, fearing his gun was damp, let it off in the back-yard." On his part he said that the complainants were very many of them Quakers, and had a design to raise great sums of money, and weary him out by tedious and expensive suits, and "the defendant is rather induced so to believe for that he hath heard, and doubts not to prove some of the complainants have been so vain-glorious as to boast that he, this defendant, would never be able to stand it against ye united numbers and purse of such a wealthy body of people as they, the complainants were." On the 23rd of October, 1739, Mr. Strickland's steward and bailiff held a court leet and court baron in Sedbergh, at which many of the freeholders and inhabitants were presented and amerced for various offences done or pretended to be done; and the steward and bailiff distrained for these amercements. Whereupon several of the inhabitants thinking themselves aggrieved, brought actions against Mr. Strickland and his agents, and recovered against the defendants in the assize held at York in 1740 and 1741; and Mr. Strickland finding that other actions were imminent, paid costs of suits, and refunded various small sums of money which were claimed by the inhabitants in repayment of the value of their goods taken and sold. After this there was

another suit in which the parishioners were defended by Braithwaite Otway, Esq., of Ingmire Hall, the son of Sir John Otway. Mr. Otway won the cause, which he managed at his own expense, and the tenants of the manor erected a monument to him in the church, "in his lifetime, but without his knowledge." Their gratitude is more to be commended than their taste, for the monument is remarkably ugly. It stands at the east end of the church, and must be eight or ten feet high ; having in the centre of it a small brass tablet, with the following inscription :— "In the year 1744, gratitude obliged the parishioners of Sedbergh to erect this monument, in memory of Braithwaite Otway, Esq., their generous benefactor, whose singular humanity, beneficence, and integrity ought never to be forgotten. When Bluecaster was inclosed, with an intent to take it from them, and many impositions took place, he voluntarily defended their cause at his own expense, and with great assiduity recovered their rights and firmly established them in their ancient properties. A judicious and noble patriot of his country, a strenuous defender of the poor, and an ardent lover of justice ; a bright and shining example to the rich and potent, whose amiable conduct justly merits their imitation." In spite of the decisions in these two last-named suits, and another of the same kind, Mr. Strickland must have been successful in the end, for his descendant is Lord of the Manor of Sedbergh at this day. I find that a rent for Lofthouse was paid to Thomas Strickland, Esq., in 1656.

CHAPTER II.

WE will now turn from the civil to the ecclesiastical lords of Sedbergh, of whom there appear to have been at one time or other at least four. In the year 1501, Sedbergh and Bland paid eight shillings to Cockersand Abbey in Lancashire ; but I do not know how long this payment had been going on, nor for how long a time Sedbergh paid to Jorvaulx Abbey seventeen shillings and ninepence. It seems very likely that Roger de Mowbray, the great benefactor of Jorvaulx, might have given to that abbey some of his right over Sedbergh, but I have no evidence of this. It is known, however, from a deed of the time of Edward III., that in the reign of Edward II. (1307-1327) the advowson of the Church of Sedbergh was in the hands of the king. It "was wont," we learn from this deed, "to be governed by two rectors, and a discreet man, the Archdeacon of Richmond, in the Church of York, ordinary of the place, to whom belonged the institution and deprival of the said archdeaconry, and the power, as it is asserted, of uniting or appropriating." Whether these two rectors were descendants of the Lords de Mowbray and de Staveley is not stated, though it may very possibly have been so ; and I do not know how their rights passed into the hands of King Edward the II., who granted the advowson of Sedbergh, or a part of it, to Andrew de Harcla, who was made Earl of Carlisle, and had large estates granted to him in the north of England. He had successfully defended Carlisle against Robert Bruce, who besieged it in 1315, and distinguished himself afterwards at the battle of Boroughbridge on the Ure, where the Earl of Lancaster was in arms against the king, his cousin. Lancaster was taken prisoner, and afterwards executed, though he tried to bribe Sir Andrew de Harcla to let him escape. Unfortunately for himself and his country, Sir Andrew shortly afterwards accepted bribes from the Scots, and especially made overtures to

"one James Douglas, whereby the king, for lack of his assistance, was defeated in a battle near the Abbey of Biland, in Yorkshire." For these offences he was very justly executed, and his lands reverted to the crown, as appears from the following fact: — Edward the II., for good service, gave to Thomas and Alexander Fetherstonhalgh for three lives (the king's and two brothers) the land with belongings which was held by Andrew de Harcla, the king's late enemy, at Sedbergh-in-Lonsdale." In the year 1330, Edward the III. granted a mediety of the Church of Sedbergh to Geoffrey le Scrope, with three oxgangs of land and their appurtenances, "that the said Geoffrey may be able to give and assign them," the deed continues, "to our beloved in Christ, the abbot and convent of Coverham, to be had and to be held by the said abbot and convent of Coverham and their successors for certain charities and other pious expenses, yet so that the same Geoffrey and his heirs render to us and our heirs in behalf of the said abbot and convent of Coverham and their successors the services from the aforesaid land, with its appurtenances which is due and customary." This donation was made by the king and the baron in compassion for the miserable state of the monks of Coverham, "who," as the king says "by the frequent hostile inroads of the Scots and other events of adverse fortune have been devastated and ruined, and driven into debt to such an extent that there is much fear of the dispersion of the canons who serve God in that place, unless assistance be speedily rendered by the protection of the faithful with a suitable remedy." The grant to the abbey was confirmed by the Pope, and Sedbergh remained under Coverham until the dissolution of the monasteries, the church being served by the clergy from thence, as the following list of vicars will shew. There was another vicar, not mentioned in that list, Brother T. Leytley, who was at Coverham in 1494. And I find among the papers belonging to the Grammar School a notice of "Richard Mydlam, present vicar of Sedbergh," who, in 1528, in conjunction with Christopher Hylton, abbot of Coverham, granted to Dr. Roger Lupton the ground on which he built his school, and a farm adjacent, called "Ye Loft-house."

From Torre's Archdeaconry of Richmond.

| Time of Institution. | Vicars of ye Church. | Patrons. | Vacated. |
|----------------------|---|-------------------------------|----------|
| 19 Ap., 1399 | Do'nus John de Popelton | Abbot and Convent of Coverham | p'resig. |
| 29 Mar., 1434 | Fr. Elyas de Boghland Fr. Cuth. de Rydmer Fr. John de Lynton Fr. John Warslawe | Do. Do. Do. Do. | p'mort. |

The following translation of a deed from the Coucher Book of St. Agatha's Abbey, Richmond (the fourth ecclesiastical foundation connected with the parish), probably concerns the other mediety of the church:—"To all, etc., Ralph Fitz Alan, greeting, Know ye that I have given, etc., to God and the Church of the Holy Agatha, and the canons of the same place, for ever, etc., whatever of right and patronage I and my ancestors had, etc., in the mediety of the Church of St. Andrew in Sedbergh . . . for the love of God and the salvation of my soul and that of my wife, and for the souls of my successors and heirs; wherefore I will that the aforesaid canons have and hold the right of the aforesaid patronage, with all things thereto belonging, for ever."

It is considered probable, by Dr. Whitaker, that this mediety was conveyed to Geoffrey le Scrope by the house of St. Agatha, of which he and his family were the patrons, and by him conveyed, as well as the other mediety, to Coverham Abbey. This abbey was founded by Ralph Fitzrobert, or rather, the monks were removed by him from their first habitation at Shainby, in the parish of Picthall, to the near neighbourhood of his own castle of Middleham, in 1214. It had large possessions, but little is known of its history, except the facts which I have mentioned; and that "there was good singing at Coverham" is stated by Leland. At the dissolution the tithes of the rectory of Sedbergh were valued as follows:—Grain, 9*l.* 10*s.*; wool and lambs, 30*l.*; hay, 40*s.*; which shews that no great quantity of grain was then grown in

the parish. "Yet about eighty years before," says Dr. Whitaker, "the burgesses of Richmond complained that their market was ruined by the increased cultivation of corn in this parish and neighbourhood; for heretofore they said it ranked among its frequenters merchants and artificers, strangers and outsiders, and other tribes from different parts, used to come to the same town from the surrounding counties of Lancashire, Cumberland, and Westmorland, as bringers and carriers of grain and bread from the counties of Lancaster, Cumberland, and Westmorland, and the districts of Lunesdale, Craven, Dent, and Sedbergh, in which at that time there was not much corn grown; but that of late the inhabitants of these countries made the land of their wastes and moors fertile, producing more than was usual of wheat and other grain." Besides the payments made to these four abbeys, the Church of Sedbergh paid to the Archbishop of York (its diocesan until the bishopric of Chester was founded, after the Reformation) twenty shillings; to the Archdeacon of Richmond, forty shillings; and to the Prior of Connyside, twenty shillings. All these monasteries were dissolved and destroyed and their property seized, in the reign of Henry VIII., in consequence, as was asserted, of the misconduct of the monks; but as their accusers were in many cases those who profited by their ruin, we may be allowed to think that these charges were, at least, exaggerated. So believed, we must suppose, the men of Westmorland, Cumberland, Richmondshire, Craven, Dent, and Sedbere, "who, to the number of 40,000, made, in the year 1535, the insurrection called the Pilgrimage of Grace." I give the account of this rebellion in the words of an old historian. "The King was suddenly informed of another insurrection in the north, and that their grievance was grounded upon the same points as those of Lincolnshire (who by their petition craved a reformation of those things which lately had been done and concluded against religious houses, and against the former and ancient government of the Church), and that the number of those rebels exceeded the number of 40,000 men, who termed themselves the Holy Pilgrims, who intended nothing but the establishing of true

religion, and the reformation of great abuses which defaced the government of the Church. To encounter these men, and to correct their braine-sick purposes and foolish madnesse, the King appointed the two Dukes of Norfolke and of Suffolke, and some other lords, with a strong and well-appointed armie, to march against them with all speed. And the rebels (expressing much joy because they were to fight) came neer unto the dukes' armie, and before them expressed many signes and tokens of undaunted courage and desperate boldness. But in the night before the two armies intended to have joined together in handiestrokes, a little brooke which came betwixt them, and which with a drie foot might the day before have been passed over, grew so outrageously great and violent by the fall of immoderate and continuall showers of raine, that the armies could not meet as they determined. This miraculous pitie, and this mercifull compassion, which by Almighty God Himselfe was immediately extended towards His people for the preservation of their lives, so effectually wrought in the hearts and mindes of the two armies, that (upon the faithful promise of the two dukes that the King's free and ample pardon should remit and acquite them all) the rebels left the field, and quietly departed to their owne houses." This took place in the neighbourhood of Doncaster. The King kept the promise made by the dukes, but sent a severe letter of rebuke to the insurgents, of which Dr. Whitaker gives the following portion:—"And here," said his Majesty, "in this final point which ye our commons of Westmorland, Cumberland, Richmondshire, Craven, Dent, Sedbere, and other places that have been seduced into this insurrection, do desire. We verily think that the rest of all our whole commons of many countreys, to whom ye be in mannèr but a handful, will greatly disdain and not bear it, that ye take upon you to set order to us and them, and especially to us, being sovereign lord of you both. And that you (being rebels) would make them, as bearers and partakers of your mischief, willing them to take pardon for insurrections which they never minded, but, like true subjects, on the contrary have both with heart and deed been ready at our call to

defend us and themselves. And now, for our part, as to your demands, we let you wit that pardon of such things as you demand lyeth only in the will and pleasure of the prince; but it seemeth by your lewd proclamations and safe conducts that there be among you which take upon them the parts of kings and counsellors, which neither by us, nor by the general consent of our realm, have been admitted to any such room. What arrogance is then in those wretches (he had before called them brutes and inexpert folk) to presume to raise you our subjects without commission under a coloured cloak of our wealth and in our name. Wherefore we let all you our said subjects again wit, that were it not that our princely heart cannot reckon this your shameful insurrection and most ingrate and unnatural rebellion to be done of malice or rancour, but rather of a lightness given in manner by a haughty nature to a commonalty, and a wondrous sudden surreption of gentlemen, we must needs have executed another manner of punishment, than if you will humbly acknowledge your fault, and submit yourselves to our mercy, we intend to do, as by our proclamations we doubt not ye be informed." Thus peacefully ended this great rebellion which really seems to have been, as it professed to be, a religious movement, for the 40,000 men marched through the country, doing no harm to the people, and only vigorously besieging a few castles. The men of Sedbergh may have been moved to take so prominent a part in this contest by the fact that the last Abbot of Jorvaulx was a Sedbergh man, and one of those who joined the Pilgrimage of Grace, but to him their well-meant efforts brought nothing but harm, for he was taken up to London, and, after some imprisonment, was executed. His name, Adam de Sedbergh, is to be seen on the wall of a room in the Tower of London, with the date 1537. The rectory of Sedbergh was given at the dissolution of monasteries to Trinity College, Cambridge, which was originally endowed by King Henry VIII., and the presentation to the vicarage still belongs to the master and fellows of that great college. The list of their vicars is as follows:—

From the Registry of Chester.

| Time of Institution. | Vicars of the Church. | Patrons. | Cause of Vacancy. |
|----------------------|------------------------|----------------------------|----------------------|
| 1554 | Thomas Atkinson | Trinity College, Cambridge | |
| 3d Sept., 1579 | Egid Wiginton | Do. | |
| 30 Aug., 1585 | Adam Colclough | The Crown | |
| | Edward Hampton | | |
| 21 Sept., 1610 | George Harrison | Trinity College | Death of E. H. |
| 1613 | Joseph Wybarne | Do. | |
| 1615 | Benjamin Hinton | Do. | Death of J. W. |
| 1624 | Robert Cademan | Do. | Res. of B. H. |
| 1637 | Thomas Briscoe | Do. | Res. of R. C. |
| 1660 | Leonard Burton | Do. | Death of T. B. |
| 1682 | Jonathan Rose | Do. | D. of L. B. |
| 1727 | Thomas Lambert, A.M. | Do. | D. of J. R. |
| 1741 | Joseph Driffeld, A.B. | Do. | Cess. of T. L. |
| 1746 | Wynne Bateman | Do. | Deprivation of J. D. |
| 1754 | John Meryett | Do. | |
| 1764 | Marwood Place, B.D. | Do. | D. of J. M. |
| 1766 | William Gawthrop | Do. | Cess. of M. P. |
| 1798 | Daniel Mitford Peacock | Do. | D. of W. G. |
| 1840 | William Riddell | Do. | D. of D. M. P. |
| 1841 | George Platt | Do. | Cess. of W. R. |

I am glad to be able to give a pleasing picture of the inhabitants of our valley some years later, taken from a letter addressed by James Ritter to Lord Burghley, and dated September 20th, 1589; it is quoted by the late Professor Sedgwick. This is Mr. Ritter's own account of himself:—"I was born in Kent, brought up in Northamptonshire, dwell in Yorkshire, and am often conversant with the people of Kendal."

James Ritter to Lord Burghley.

"I cannot satisfie myself in duty to my country unless I deliver over to your honerable lordship the discoveries I fynd of the particularities of this countrie from tyme to tyme. In the which thinking myself skilful enough, I dedicated my last endeavours therein to your good lordship, by an accident since I know more. . . . In the execution of this office very lately, I passed thro the people of two great dales, the

one called Dent or Danett, as some say; and so lyke, when the Danes were dryven to any shyft, to be their resting; as your lordship's lands of Tanfield, sometimes called Danefield, where yet remayne extensies of their encamping. The other greater part is called Sedbar. A thing worth noting I shall recount to your lordship. In this Sedbar the vycar could present to me only four disordered persons, — which I bound to good abearing as barrators — that haunted alehouses, the great fault of this country, and were daily fighting, quarrelling, and disquieting this good people. In Dent only one was brought before me, for very undutiful parties to his father. This is notable amongst so many hundredth householders. Now your lordship cometh to the marvel; no justice of the peace is resident within thirty myles of them in their county. . . . A head constable they have, which, if he did anything amongst them touching his office, I fear me it wold fall out worse for their government. In one parish no gentelman; in the other, two, and those very mean. These people situate amongst the wild mountains and savage fells are generally affected to religion, quiett, and industrious; equali with Hallyfax in this, excelling them in civility and temper of lyfe, as well in abstaining from drinke as from other excesses. These people are as they term themselves customary tenants, and greatly addicted to raise and maintain customs. They have no courts kept these many years past. I had much to do to make them knowe the high authority of Parliaments, which they thought could not cutt off any custom, no not for reformation of any offence. But before all, this custom of quiett and industrious life I willed them to keep, and so penall statutes cannot touch them."

It will be seen in the History of the School what was the disposition of some of the inhabitants of Sedbergh during the civil wars. I do not know that any of them actually fought on either side, and indeed all I can learn of the parish during those years is from the journal of George Fox, from which I have made the following extracts:—

"1652. — Here (in Wensleydale) the Lord opened unto me, and let me see a great people in white raiment by a river side, coming to the Lord. The place that I saw them in was between

Wentzerdale and Sedbergh. I went also through Grysedale and several other of those dales in which some were convinced. In Dent many were convinced also. From Major Bousfield's I came to Richard Robinson's, and declared the everlasting truth to him. The next day I went to a meeting at Justice Benson's, where met a people that were separated from the publick worship. This was the place that I had seen, where a people came forth in white raiment. A large meeting it was; the people were generally convinced and continue a large meeting still of friends near Sedbergh, which was then first gathered. . . . The same week (early in the year) there was a great fair, at which servants used to be hired. I went and declared the day of the Lord through the fair. After I had done so, I went into the steeple house yard, and many of the people of the fair came to me, with abundance of priests and professors. There I declared the everlasting truth of the Lord and the Word of Life for several hours. . . . At last a captain said 'Why will you not go into the church? This is not a fit place to preach in.' I told him I denied their Church.

"1652. — I wrote also to Burton, priest of Sedbergh.

"1663. — It was upon me to go to John Blaykling's, in Sedbergh, to be at the meeting there, which is large, and a precious people there is.

1679, January. — Next day John Blaykling came to Thomas Cam's (of Camsghyll, to bring me to his house at Drawell, in Sedbergh, in Yorkshire; whither I went with him, visiting friends by the way. I staid at Drawell two or three nights, having meetings there, and thereabouts, for while I was there the men's and women's meetings were held, which were very large and precious. The first day following I had a meeting at Brigflats, to which most of the friends from the several meetings round, with a great concourse of other people, came; it was thought there were five or six hundred people."

This is all I know of the history during those evil days of religious and civil discord, and the picture is in melancholy contrast to the one given by Mr. Ritter "In great Eliza's golden time." In Dent there were great rejoicings on the Rushbearing (St. Bartholomew's Day) after the Restoration,

and a pageant was exhibited, in which, among other characters, "Oliver and Bradshaw, Rebellion, and War," were represented, all decked by times with vizards on, and strange deformities; and Bradshaw had his tongue run through with a red hot iron; and Rebellion was hanged on a gibbet in the Market Place. Then came Peace and Plenty, and Diana with her nymphs, all with coronets on their heads, each of which made a several speech in verses of their loyalty to the king."

CHAPTER III.

THERE is nothing in later years to connect Sedbergh with the general history of England, except a few notices in the parish papers. In 1727, 1*l*. was expended by order at the proclamation of King George the Second, and in 1735 the following sums were paid by the parish :—

| | S. | D. |
|--------------------------------------|----|----|
| To a soldier | 1 | 0 |
| To six sea men | 1 | 6 |
| To a sea man... .. | 0 | 1 |
| To 4 soldiers at sundry times | 2 | 0 |
| To 10 soldiers | 3 | 6 |
| To a soldier and his wife | 0 | 8 |
| To 8 sea men... .. | 2 | 0 |

In 1736, two shillings were paid for keeping four French passengers all night, and in the next year many soldiers and sailors passed through Sedbergh, some with wives, and were relieved.

It would appear that in 1727, a woman could be boarded for a shilling a week. In 1724 are the following entries :—

| | S. | D. |
|--|----|----|
| Stocks mending | 3 | 6 |
| To Richard Backhus for taking care of the dook- ing stoole | 0 | 6 |
| Towards the repairing the cross | 1 | 0 |

The stocks were repaired again in 1731 at a cost of 3*l*., again in 1788 for 1*s*. 6*d*.

In 1743 there was a journey to Skipton to return Papists, which cost 0*l*. 6*s*. 8*d*.

In the Firbank registers there is an account in 1746 of the expenses in equipping men to resist the Scotch invasion, which is as follows :—

(This levy of men was of course for Westmorland.)

DISBURSED IN RAISING AND EQUIPPING THE TRAIN-
BAND MEN FOR FOURTEEN DAYS.

| | £ | s. | d. |
|--|-----|-------|------|
| To two new Scabbards | ... | 0 | 6 0 |
| To belts | ... | 0 | 4 0 |
| To carthrages, etc. | ... | 0 | 5 6 |
| To one packet of powder | ... | 0 | 1 4 |
| To lead and ball | ... | 0 | 0 4 |
| To spent at Kendal | ... | 0 | 1 6 |
| To a belt y ^t would not fit, and dressing y ^e swords | 0 | 1 | 6 |
| To ribbands, etc. | ... | 0 | 2 0 |
| To eight dinners | ... | 0 | 8 0 |
| To muster money | ... | 0 | 15 0 |
| To twenty-eight days two trainband men | ... | 4 | 4 0 |
| To carriage of money | ... | 0 | 1 0 |
| To a gun... | ... | 1 | 13 0 |
| To ye carriage of two guns | ... | 0 | 1 0 |
| To trainband men for eight days | ... | 0 | 15 0 |
| To Ed. Atkinson's cropp | ... | 0 | 17 0 |
| To trainband men | ... | 0 | 15 0 |
| To three acquittances | ... | 0 | 0 6 |
| To Jno. Moore's gun | ... | 0 | 17 0 |
| To one Halbert | ... | 0 | 3 6 |
| | | <hr/> | |
| | | 11 | 12 2 |

There seem to have been no men equipped at Sedbergh, and the only entries which can concern "the '45" are as follows :—

| | s. | d. |
|--|-----|-----|
| Expenses about Yorkshire contribution | ... | 2 0 |
| To powder and ball | ... | 4 6 |
| To expenses about more contributions | ... | 4 1 |
| To journey to Settle with press warrants twice | ... | 5 0 |
| To carrying soldiers to Kirby | ... | 7 0 |

Though I have failed to find any written record of the fact, tradition says that some Highlanders came through Sedbergh, and some of the Duke of Cumberland's army also. There are two old cannons set up on end against different houses in the town, which may possibly have been left at this period.

In 1740 Dr. Saunders, master of the Grammar School, was one of the justices of the peace for the West Riding, but in 1791 there were no acting justices within the east and west

division of Staincliffe and Ewecross, a district of upwards of 150 miles in circumference; and it is shown in a petition to the Duke of Norfolk, then Lord Lieutenant, that "the said divisions consist of 85 townships, and from the increase of inhabitants by reason of the extension of trade in the cotton and worsted manufactories, the penal laws are in a great measure disregarded and the offenders against them suffered to escape, or at least to go with impunity, to the great encouragement of others disposed to offend in like manner. That from the most remote part of the said divisions to the nearest acting justice for the said Riding is a distance of 50 miles. That there are several gentlemen within the said divisions who are now in the commission of the peace, but who have never acted or qualified and decline so to do. That there are several other gentlemen who have come to reside within the said divisions whose names are not inserted in the commission of the peace, and who would serve as was supposed by the petitioners. These are the names from this parish, "John Upton, of Ingmire Hall; Richard Willan, of Hill; Miles Mason, of Sedbergh; Richard Sedgwick, of Dent; William Gawthrop, of Sedbergh; Christopher Hull, of same; and Dr. Oliver."

These names and others not of this parish, were sent from Sedbergh by Mr. Davis (attorney at law), to a Mr. Joseph Dixon, of Whitehaven, who shortly afterwards wrote to say that many of the names mentioned had been put into the new commission of the peace; but how many of these were from Sedbergh I am unable to say. There are some curious items in the parish expenses concerning birds and beasts of prey. In one year I find: "To an otter head, 1s.;" in another: "23 foulmart's heads, 3s. 10d.; 29 doup heads, 3s. 3d.; 54 doup heads, 4s. 6d., 35 foulmart's at 2d., 5s. 10d." The doup, I am informed, is otherwise called the carrion crow. Between Easter 1807, and Easter 1808, 11 ravens were killed and 1s. 10d. given for their heads, and in 1811 and 1812 three fox's heads cost 1l. In 1784 the church warden's expenses include extensive repairs and alterations in the church, and it was at this time, I conclude, that the lead was removed from the roof and the old beams whose rests are still to be seen, taken away.

The expenses were 195*l.* 11*s.* 2½*d.*, and lead, old timbers, and freestone sold for 195*l.* 18*s.* 5*d.*; out of this sum 181*l.* 0*s.* 6½*d.* was for lead.

Nine shillings was paid in 1745 for repairing the little school, and both it and the church were roughcast and whitewashed in 1817-18 "by order of his Lordship." New doors were made at the same time, and a new green Communion cloth.

In 1795 a silk hood was bought, and in the same year there was a fast day; also 1*s.* 6*d.* was paid for ale to ringers (which it was agreed should not be allowed in future). The only victories I know of in this year for which the bells were likely to have rung, were the taking of the Cape of Good Hope and Ceylon.

In 1821-22 the Book of Homilies for the Church of England, costing 12*s.* 6*d.*, was bought, and a new Prayer Book, costing 2*l.* 2*s.*, the next year. The musical part of the service was not altogether neglected, for a singing master was paid 1*l.* 7*s.* 0*d.* in 1803-4.

Again in 1819-20, George Temple was paid for singing 2*l.* 11*s.* 6*d.*, and the next year a new pitch-pipe was bought for the church.

In 1736, 6*s.* 2*d.* was collected by a brief for Milton, and 7*s.* 8*d.* for Llanarmon, and these are the only notices of collections which I have found amongst the Sedbergh registers.

In Dent was collected on the 19th of June, 1686, towards the relief of the French Protestants (who had left France in great numbers in consequence of the revocation of the Edict of Nantes in 1685), 5*l.* 7*s.* 1*d.*; and in 1701, 15*s.* 9*d.* was collected towards the repair of the Cathedral of Chester, and two shillings towards the repair of a house burnt at Ametside. So it seems that the greater the distance of the object, the greater was the sympathy felt.

I have not discovered that the vicars of Sedbergh have been remarkable in any way, except Mr. Jonathan Rose, who was vicar from 1682 to 1727. He seems to have been a very active governor of the school, and must have built or rebuilt part of the vicarage house, for a stone bearing the inscription J. R. 168 — the rest broken off, has been found recently in the kitchen

chimney. He seems to have been of some renown as a preacher, for there is extant a little book containing two printed sermons of his, "On the mutual Love between Christ and His Church," from Cant. ii., 6 — "My beloved is mine and I am his. He feedeth among the lilies." The book has the following dedication : —

"To the Reverend Dr. Todd, the Reverend Mr. Stubbs, and the inhabitants of the town and parish of Penrith, in the county of Cumberland.

"Dearly Beloved !

"When I had the Favour of Coming up in Your Large, Beautiful, New-built Church (June 21, 1724), I had intended these Two Sermons for your Entertainment, being willing to ease the Worthy Vicar and Curate for both Parts of the Day. But because you had several Gentlemen of the Clergy with you that Day I preached only in the Forenoon, which occasioned my Discourse from the Pulpit to consist of some Parts of the One, and some of the Other ; so that You had neither of them entire. To supply which Defect and pursue my first Intentions towards You I have sent them both to the Press, that those of You that please may read at Leisure what you had not the designed Opportunity of hearing.

"From your humble Servant

"And Hearty Well-Wisher,

"J. ROSE."

This little book was published in 1725, at York. ("Printed by Thomas Gent, in Coffee-House Yard, over against the Star, in Stone-Gate,") the worthy old gentleman being then 71. He is buried in the chancel in Sedbergh Church, and the following Latin quotation is on a stone over his grave :—"Deus dabit his quoque finem," (God will give an end also to these things). He was buried June 13th, 1727.

It will be noticed that Mr. Joseph Driffild, the vicar from 1741 to 1746, was deprived of the living. I do not know for what offence, but I find that during his tenure the vicarage

house and gardens were let to Mr. Broxholme, the master of the Grammar School, from midsummer 1742, at 5*l.* per annum. At Mayday 1745, they were let to James Trotter for one year at 2*l.* 5*s.* 0*d.*, afterwards to the same person at 3*l.* 3*s.* 0*d.* to Mayday 1747. I have also seen an undated and unsigned paper concerning the sequestration of the living, which I am inclined to place in the same period. In the time of this vicar there was a mill called Milnthorp Mill, which paid to him certain dues.

I will now give a short account of the benefactors of the parish and Grammar School, beginning with the following memoranda, which are written at the end of an old book of registers, whose entries date from 1686 to 1727, during which period Jonathan Rose was vicar, and John Brackan for part of the time curate, of Sedbergh. Throughout this book the new year begins on the 25th of March instead of the 1st of January :—

“November ye 5th, Anno Domini 1697. — The same day was given a red pulpitt cushion by Dr. Charles Otway, of Ingmer Hall, properly to ye use of Sedbergh Church for ever.”

“February 13th, 1700. — Then was given a booke call'd ye History of ye Bible, by Mr. Edward Speight, to ye use of Sedbergh Church for ever.” (This book was found to have been much ill used and defaced, and was consequently removed for safe keeping to the vicarage, where it now is.)

“March 12th, 1700. — Then was given a large table cloath for ye Communion Table, coloured white, by Dr. Charles Otway, to ye use of Sedbergh Church for ever; with two napkins of the same sort afterwards.”

“March ye 26th, 1702. — Then was received thirty pounds, being ye gift of Mr. Edward Speight, of London, born att Scrogthouse, in Sedbergh, given to ye poor of Sedbergh, to be divided by ye vicar and churchwardens every Lord's Day in peny wheat loaves.”

“That in ye year 1703 John Ffawcett, of Gateside, in Ffrostrom, deceased, did by his last will give to ye poor of Soolbank and Ffrostrom, tenn shillings yearly for ever, and ye same to be divided by ye churchwarden and overseer in peny wheat

loaves to ye poor within ye said hamlett, upon St. John's Day in Xtmas. And ye same to be continued yearly for ever as above said."

"That in ye year 1704 Dr. Otway gave to Sedbergh Church one silver salver, and ye same to continue to ye use aforesaid for ever."

"That Charles Atkinson, of Borrad, gave a velvett bier cloth, mark'd thus, 'C. A., 1720,' to the use of Sedbergh for ever."

"Our present vicar, Mr. Rose, aged 71, been vicar now 43 years, did on May 12 have put into the Ratha, at the waters meeting below Straight Bridge, one hundred live crevices (cray-fish?), and this day a parcel more above Milthorp Bridge, for a fund to breed of. Witness my hand, August 4, 1725, Jonathan Rose, vicar, Sedbergh."

Besides these, the benefactors to the parish (not including those to the Grammar School, who will be mentioned later) have been many, as appears from the books of the old governors of the school.

In 1614, Francis Harrison, of the Stone Hall, left 50*l.* to the poor of Sedbergh, the interest to be distributed yearly by the governors.

Mr. John Robinson, of Kendal, bequeathed by his last will, in 1708, 100*l.* to the poor of Sedbergh, of which the interest was to be distributed yearly by the governors. He had for several previous years sent 5*l.* for the same purpose.

The governors held a meeting on August 21st, 1700, when it was "voted and unanimously agreed by them, That no persons of ye Church of England that are of scandalous or irregular lives, or that are not frequenters of the Church service and sacraments, shall for ye future receive any part of, or have any share in ye distribution of any charitable alms deposited with ye governors for ye use and benefit of ye poor of ye parish of Sedbergh. Witnessse our hands, — Charles Otway, Jonathan Rose, James Bland, Christo. Corney, John Fawcett, John Warde, Henry Holme, Chris. Gawthropp, Simon Washington, James Ridding, Wm. Corney." (James Richardson and Thomas Bowland also left money for the poor).

John Mackereth, of Cautley, and Ann Mackereth, of Hollin Hill, in Cautley, are thus celebrated by their epitaph —

“ Full seventy pounds these two did leave,
 Chiefly unto the poor,
 To be distributed yearly,
 Till time shall be no more.”

Charles Atkinson, of Borrad (1728), James Cock, of Cautley (1723), James Rowcroft, John Hadwin, of Middleton Head, in Middleton, all left various sums, to be given in doles.

May 8, 1778, Leonard Croft, of Catholes, in Marthwaite, left 60*l.* to the governors, the interest to be spent in bread to be given on Sunday afternoons to poor persons attending the services in ye church.

June, 1814, Mr. Wm. Warrinan, of Carhead, gave to the governors for the poor of Sedbergh not receiving township relief his quit rents in Sedbergh, amounting to 1*l.* 0*s.* 2*d.* per ann.

In 1823 the Rev. Benjamin Holmes, of Freshwater, in the Isle of Wight, left 500*l.* to be distributed to ye poor on St. Thomas's Day.

Mr. Duke Holmes left to the governors 60*l.* to apply the annual produce for the poor of Sedbergh; to William Gawthrop and James Shaw 50*l.*, to be applied for the poor of Soolbank and Frostron, and 16*l.* to the minister and churchwardens for a piece of communion plate, and 60*l.* for an exhibition for a poor scholar born in Sedbergh, going to S. John's, Cambridge. There is no date to these bequests.

Lastly, should be mentioned Thomas Palmer, Esq., who in his lifetime founded and endowed a hospital in Sedbergh for six widows.

It will be seen by this list that the poor in our parish have not been neglected in past times, neither are they now; but I abstain from mentioning the names of persons still living, who have been benefactors also.

Mr. Richard Holme, of Lowther, clerk, gave to the governors 100*l.* for the foundation of a Charity School for the benefit of the poor children of the parish, and in 1734 William Richardson demanded the whole produce of it, insisting that it

was appropriated to the "little school at the end of the church for a perpetual augmentation of his salary. A representation was therefore drawn up and sent to the said Mr. Holme how the annual produce had been disposed of since the time the principal was given which was to the schooling of twelve boys and twelve girls at two different schools." Mr. Holme replied that he had no intention of appropriating it to this little school in particular, but that the governors were to use their discretion in the matter. I conclude that it was to the girl's school that Margaret Cowperthwaite, school dame, belonged. She was buried March 22nd, 1720.

The following account, from a paper which was lent me, may be welcome to those who are interested in Sunday schools :—

"Two Sunday schools — one for boys, the other for girls — having been established at Sedbergh, in the West Riding of Yorkshire, on the 21st of August, 1803, and the following sums subscribed for their maintenance, a general meeting of the subscribers was held at the Duke's Head, in Sedbergh, on the 12th of November, 1803, and the following regulations and appointments agreed upon, viz. :—

1. The number of scholars not to exceed seventy in all, nor thirty-eight at either school.

2. Each subscriber to have the privilege of sending one scholar for every seven shillings subscribed; taking care, however, to provide every scholar (so sent) with a ticket of admission, mentioning the name of the scholar and by whom admitted.

3. Every subscriber of half a guinea to be a visitor.

4. A committee of subscribers to hold a monthly meeting, for the purpose of ordering books, conferring rewards, and expelling scholars; the said meeting to be held at the monthly meeting of the Sedbergh Book Club.

5. Any three or more subscribers present at such meeting to constitute such committee.

6. Scholars distinguishing themselves by regularity of behaviour, or by their progress in learning; as also those who may have absented themselves thrice from either morning or

afternoon attendance in the course of six months, or been guilty of gross misbehaviour, to be represented by the master or mistress at such monthly meeting.

7. Those scholars whom the committee may deem to have wilfully so absented themselves without sufficient cause, or to be incorrigible, to be expelled.

8. In the case of any scholar being so expelled, and the subscriber, by whom he or she was originally admitted, neglecting to admit another in his or her stead before the ensuing monthly meeting, the committee to have authority to fill up the vacancy in the name of such subscriber.

9. The school hours to be from nine o'clock in the morning till morning service, and from one o'clock in the afternoon till evening service; the scholars to be taken constantly from school to church, both morning and afternoon, by the master and mistress.

10. The children not to be taught writing or accounts.

11. The schoolmaster to be allowed a salary of five guineas per annum; the mistress three guineas per annum.

12. Robert Butterwith to be master; Mary Garnet to be mistress; Rev. D. M. Peacock to be treasurer.

13. A general meeting of the subscribers to be held annually, on the third Monday in July, at the Duke's Head, for the purpose of auditing the treasurer's account, paying in their subscriptions for the ensuing year, and making such new appointments and regulations as they may deem necessary.

SUBSCRIPTIONS TO THE SEDBERGH SUNDAY SCHOOLS.

| | | | £ | s. | D. |
|-------------------------------------|-----|-----|-----|----|------|
| J. Upton, Esq. | ... | ... | ... | 3 | 3 0 |
| Mrs. Upton | ... | ... | ... | 2 | 2 0 |
| Richard Willan, Esq. | ... | ... | ... | 1 | 1 0 |
| Rev. D. M. Peacock | ... | ... | ... | 1 | 1 0 |
| Mrs. Peacock | ... | ... | ... | 1 | 1 0 |
| Mrs. Heys | ... | ... | ... | 1 | 1 0 |
| Messrs. de Graves, Dickinson, & Co. | ... | ... | ... | 3 | 3 0 |
| Rev. W. Stephens | ... | ... | ... | 1 | 1 0 |
| Mrs. Stephens | ... | ... | ... | 1 | 1 0 |
| Mr. Davis... | ... | ... | ... | 2 | 2 0 |
| Mr. Dawson | ... | ... | ... | 0 | 15 0 |

| | | | | | |
|--|-----|-----|-------|----|---|
| Peter Garforth, Esq. ... | ... | ... | 1 | 1 | 0 |
| Mrs. Garforth ... | ... | ... | 1 | 1 | 0 |
| Messrs. Garforth and Sedgwick, a donation of | 5 | 5 | 0 | | |
| Mrs. Hull... | ... | ... | 0 | 10 | 6 |
| Mr. Fawcett ... | ... | ... | 1 | 1 | 0 |
| Mr. Foster ... | ... | ... | 1 | 1 | 0 |
| Miss Foster ... | ... | ... | 1 | 1 | 0 |
| | | | <hr/> | | |
| | | | 28 | 11 | 6 |

Amongst the other institutions of the place, the book club, established more than 150 years ago, ought to have honourable mention.

CHAPTER IV.

I HAVE before mentioned various noblemen and gentlemen who have been connected with our town and parish in different ways, but I must now say a few words on the subject of some families who have been resident here. Of these the earliest was the Bland or Blaund family, of the hamlet of Bland. Thoresby, in the "*Ducatus Leodicensis*," says they took their name from the hamlet. They are first mentioned, I believe, in 1333, when Patricius de Bland, or Blound, was one of the gentlemen appointed to command the military array in the wapentake of Ewecross, and to levy ten men at arms and a hundred footmen, or archers, in an expedition against the Scots. The Bland coat of arms, granted at a very early period, bears three arrows, and perhaps their archers' bows were cut from the old yew trees, whose last remnant will soon disappear from the Sedbergh churchyard. Most of my readers, I suppose, will know that the archers of England were the terror of her enemies, in consequence of the great size and strength of their bows, as well as from the skill of those who used them. Sir Walter Scott describes the effect produced by the sight of a band of archers on the Northern Scots: —

“ Envy with their wonder rose,
To see such well appointed foes ;
Such length of shafts, such mighty bows,
So huge, that many simply thought
But for a vaunt such weapons wrought ;
And little deemed their force to feel
Through links of mail, and plates of steel.”

The Borderer, on the other hand,

“ Looked on at first with careless eye,
Nor marvelled aught ; well taught to know
The form and force of English bow.”

It may have been the duty of Patricius de Bland to guard the narrow part of Lunedale, for I find that Lancaster was burnt by the Scots (except the Castle) in 1322 and 1389, before and after his time.

Also, "William de Bland (of Bland, in Lunesdale) did good service to King Edward the III. in his wars in France, in the company of the Earl of Richmond (John of Gaunt), and had a pardon for the death of John del Vale, as the Privy Seal attests, dated the 4th of June, in the 34th year of that King's reign of England, and 21st of France." Next we hear that "Richard (Wilkynson) de Blande (of Blande), together with John Todde and John Whytehode, both of Sedbergh in Lonesdale, was pardoned for the death of John Stokedale, of Midelton in Lonesdale, killed the 2d of the King's reign, as the Privy Seal manifests, dated 7 Jul., 5th Richard II." The name is variously spelt in old records, therefore I have no doubt that the following statement, preserved in the Record Office, relates to this family: —

"A light in the seyd parishe (Sedbergh) wyth a some of money mayntayned. The same was founded by one Henry Blownd, to have contynuaunce for and wyth (an illegible word) the seyd some of money for the mayntenance thereof remaining in the hands of Thomson and Bryan, yeomen."

The name of Bland occurs frequently in the registers of the church and among the lists of governors of the school, and one of the family is mentioned, not very favourably, by Roger Ascham (see page 46). The family is said to have spread from Sedbergh to the neighbouring parish of Orton, and from thence all over England. One of them, Adam Bland, of London, skinner, the son of Roger Bland, of Orton, was made free of the City of London, 4th Edward VI., 1550, and was Sergeant Pelletier to Queen Elizabeth (1563). This worthy was the ancestor of numerous branches, but their pedigree has been given in other books — Thoresby's "*Ducatus Leodiensis*," Carlyle's "*History of the Blands*," &c. — so I will only mention a few of the more remarkable members of the family.

In the eighteenth year of Charles the I., Thomas Bland, of Kippax, near Leeds, was created a baronet, and a Sir John

Bland, of the same place was remarkable for having been longer member of Parliament than perhaps any of his age in England.

There is a very important branch of this family in Virginia, descended from Adam, the Sergeant Pelletier. They first emigrated about 1645. The present lineal representative of the family is, I am informed, Mr. John Bolling Bland, descended also from the Bollings, of Bolling Hall, in Yorkshire. (The first Bolling who went to America, married, in 1675, Jane Rolph, granddaughter of the Princess Pocabontas, who married Mr. Rolph, one of the early settlers who went out with Captain Smith, and the descendant of this Mr. Bolling married a Bland.) The first of the Bland family who went to America built a church, court house, and prison at his own expense, for the benefit of the colony. There is a parish in Virginia called Blandford, where there is a ruined church, old for America, and now deserted. One of the Blands of this parish was Colonel Theodoric, who was very active in the revolutionary war, and a great friend of General Washington. But to return to those nearer home. There was a family of Blands near Cambridge, said to be descended from Adam Bland, of London, one of whom was grandmother to Lord Nelson. But a branch more immediately interesting to the inhabitants of Sedbergh is the one settled at Derriquin Castle, Ireland. I quote Carlyle's account of their ancestor, the Rev. James Bland, the "son of John Bland, of the parish of Sedbergh, a descendant of the old family stock which had flourished for centuries in the West Riding of the County of York. He was educated at that ancient Grammar School under Mr. Wharton, from whence he went to St. John's College, Cambridge, where he was admitted on the 3rd of May, 1684, and took his bachelor's degree in 1687. He appears to have been chaplain to Henry, Lord Viscount Sidney, and to have accompanied his lordship to Ireland in 1692, when he took upon him the lord-lieutenancy of that kingdom. He was appointed to the vicarage of Killarney, and was successively archdeacon of Aghadoe and dean of Ardfert on the 23rd February, 1727, both of which dignities are in the presentation of the Crown. He married Lucy, the eldest daughter of Sir Francis Brewster, alderman of Dublin.

In the church of Killarney is a monument to his daughter, and also a bell, with the inscription "Dulce sonat Blandus Amor, Feb. 25th, 1708," giving a kind of punning reference to the name of Bland. This makes it probable that the donor was the Rev. James Bland, son of John Bland, of Sedbergh, vicar of Killarney. His eldest son, the Rev. Francis Bland, and his grandson, the Rev. James Francis Bland, were vicars of Killarney also. The last died 1785. Another member of the family was General Humphrey Bland, commander-in-chief in Scotland, and governor of Gibraltar, who married the Hon. Elizabeth Dalrymple, daughter of Lord Stair. To come down to more recent times — the Rev. Miles Bland was second wrangler in 1808; the senior wrangler being Mr. Bickersteth, afterwards Lord Langdale; the third Mr. Blomfield, afterwards Bishop of London; and the fourth the late Professor Sedgwick, (who was a native of Dent, and educated at Sedbergh School). Mr. Miles Bland was the author of "Elements of Hydrostatics," &c., and was prebendary of Wells. I will not attempt to enter into the intermarriages of this very large family, as they have been given elsewhere, and would fill much larger volumes than mine.

The most important part of Sir John Otway's life is given in the History of the School, but though Sedbergh cannot claim him as a native (he was born at Beckside Hall, in Middleton), he spent much time, and died, and was buried here; he must therefore be included amongst our note-worthy persons. His father, Mr. Roger Otway, possessed Ingmire Hall, and there are many persons of the same surname mentioned in the registers of the church. A daughter of Mr. Roger Otway was baptised July 27, 1622, and a son, Edward, in September the same year. His son George was baptised January 23rd, 1625. In this entry Mr. Otway is described as of Middleton. A daughter, Elizabeth, was buried July, 1634; Mr. Roger Otway, of Ingmyre, Feb. 12, 1648; and his wife, Mrs. Anne Otway, March 27, 1652. Mr. John Otway had a daughter Margaret baptised March 5, 1658, who died the next year, and another of the same name in 1663, so he was then residing here. He was twice married; first to Mary Rigg, of Winchester, who was

the mother of — 1, John, who died unmarried; 2, Charles Otway, LL.D., many years fellow of St. John College, Cambridge, where he died; 3, Anne, married into Ireland; 4, Mary, married to Posthumus Wharton, master of the Grammar School, who left two daughters — Mary, married to John Cawthorne, Esq., March 4, 1708; and Margaret, married to Samuel Saunders, D.D., also master of the school. Mrs. Mary Otway was buried June 11th, 1659, and Mr. Otway married, secondly, Elizabeth, daughter of John Braithwaite, of Ambleside, gentleman. Their children were — 1, Braithwaite; 2, Elizabeth, (baptised June 24, 1662, and married to — Byram. I conclude he was the Mr. John Byram who was living at “Ingmergh” in 1683, ’84, and ’85, and had three children, Elizabeth, John, and Samuel, baptised in those years); 3, Margaret, baptised 1663, who married — Fothergill; 4, Catherine, baptised Sept. 22, 1664, and married to John Upton, Esq. None of these ladies, except Mr. Wharton’s daughter Mary, the wife of Mr. Cawthorne, seem to have been married in Sedbergh Church. I do not know when Mr. Otway was knighted. His burial is entered thus, “Sir John Otway, Knight, of Ingmergh Hall, in Marthwaite, Chancellor of Durham, was buried Oct. 17th, 1693.”

A white marble monument in the chancel bears the following inscription: —

“In pious memory of the worshipful Sir John Otway, Knt., Vice-Chancellor of the Dutchy of Lancaster, and Chancellor of the County Palatine of Durham, late one of the readers of Gray’s Inn, and one of his Majesty King Charles the 2nd’s counsel learned in the law, to whom he was very instrumental in his happy restoration. He lived much beloved, and died much lamented, the 15th of October, 1693, in the 74th year of his age. In memory of him his sorrowful lady hath caused this monument to be erected.”

His eldest son, Dr. Charles Otway, was for some years (as Sir John had been) one of the governors of the school; and so also was Braithwaite, the second son, who was a fellow commoner of St. John’s College, and afterwards student in Gray’s Inn. His benevolence to the parish has been mentioned

before, but it should be added that he gave a sun-dial to the church, which is still to be seen on the south porch. He died unmarried, and his property passed to his sister Catherine, whose descendant is the present possessor of Ingmire Hall. It appears from Nicholson and Burns's History of Westmorland that John Upton, of Ingmire Hall, Esq., the grandson of Mrs. Catherine, was member for the county of Westmorland in 1761. This history is incorrect in one particular, for it states that Dr. Charles Otway died before his father, whereas he was really one of the governors of the school for some years after Sir John's death.

These are the only families of whom I have been able to find out anything of consequence, but there is another name which perhaps ought to be mentioned. It may not be generally known that the first emigrants of the Washington family in America were John and Lawrence, two brothers, who went out, with their wives, about 1655, and it is not to this day known with certainty from what part of England they came. Until recently it was believed that they came from Northamptonshire, but a flaw has been discovered in the genealogy which connects them with the family there. Sedbergh is mentioned (among many other places) as likely to have been the birthplace of Lawrence and John Washington (the latter being the great grandfather of the American general) but I have failed to find their names, though there seem to have been two families of Washington, one living in the town of Sedbergh and the other at Gateside, in Howgill.

There is a flat tombstone at the east end of the church in the churchyard, with the following dates and initials:—

| | |
|-------|-------|
| 1564 | 1582 |
| S. W. | H. W. |
| 1630 | S. W. |
| S. W. | 1659 |
| D. W. | 1653 |
| A. W. | 1637 |
| E. W. | 1663 |

and one with the name and date partly erased.

There are also more modern tombstones, of which the outer surface has almost peeled off, but enough remains to show that they belonged to the ancient family of Washingtons, of Gate-side, in Howgill. It seems to me quite certain that the emigrants did not come from Sedbergh, if the evidence of registers is to count for anything; the only cause for doubt being that Simon Washington had a son baptised in 1630, whose name is torn off. It may, from the size of the lost piece, have been John, but it cannot have been Lawrence; neither do I find in the Sedbergh registers the name of Mary Washington, who was the sister of John and Lawrence. Their wills were proved in 1677, therefore it does not seem likely that they were born before 1605, when the baptismal registers begin, though of course it is possible. They both lost their wives, and married again after they went to America.

The registers of Kirkby Lonsdale yield no better result, and I have also vainly searched those of Firbank, Killington, Dent, and Garsdale. There are no old registers in Howgill or Cautley, as until very recently the inhabitants of those hamlets were baptized, married, and buried at Sedbergh. In the Kendal registers I found many Washingtons from Grayrigg and Dillicar, but no Lawrence and no John of the right date; but there are some years missing, in which it is possible that the lost names once were. I have also been to York, to see if there were any wills of that date, and found indeed the will of John Washington, January 15th, 1675, but he was a whitesmith, of Kendal, cousin to Henry Washington, of Howgill in Sedbergh, who was one of the "supervisours" to the will. The Washingtons in Sedbergh town and Howgill are chiefly mentioned as whitesmiths or blacksmiths.

It is curious in examining these old registers to observe the prevalence of what are now uncommon and romantic names, such as Mabel, Christabel, Lancelot, Marmaduke, Theophilus, etc. The following curious entry occurs in the Sedbergh register of baptisms:—Agnes, daughter of Robert Wilson ("als Robin of conscience") 1632-3.

In the register of burials there are several cases of drowning:—

George Boys, son of John Boys, of Brough Sowerby, was drowned in Marthwaite, and buried April 28th, 1702.

Walter Skirm, of Kirkby Lonsdale, drowned in Rathay, buried August 13th, 1702.

Edward Walker, servant to William Coupland, drowned in Loone, and buried June 26th, 1714.

Among the deaths we also find : —

John Sheldon, ye lead myner, Janry. 22nd, 1676. Also

Rowland Pearson, schoolemaster of Howgill Chapel, July 15th, 1634. One of his successors, Mr. John Wod, married Mrs. Mary Burton (probably the daughter of the “priest” mentioned by George Fox) November 13th, 1673, and had a son William baptized in the following year.

In 1702 Mr. John Marsden was curate of Howgill, and his daughter Dorothy was baptised that year, and his son John in the same month in the year following.

The following lines are a specimen of the dialect spoken in this part of Yorkshire, but it is almost impossible in writing to give a correct idea of the accent : —

T' GALLOWAY'S GRAVE.

Now what's to deu wi' thee, thou's greetin sae sair?
 I greets for auld Billy, because he's nae mair.
 Auld Billy he sarra'd us a lang while and weel,
 And it's like when a dees 'at ane sould tak it ill.
 A right tidy galloway lile Billy's been ;
 As bonny a pony as iver was seen,
 Sen I kent him mysel, for a' he was auld,
 His lile sperit in him was nin on it cauld,
 For at twenty year ald he would gallop and run,
 He'd beat t' coach and four like a shot frae a gun.
 And when we would ketch him, what racin we haed,
 Wi' Rechard and William and Kestor and Ned.
 He'd let thee co'e tull him and wietly stand,
 Till thou thought 'at thou haed him, and put out thy hand ;
 And then he'd gang off frae beside Mally Fell,

Right across o teu-acre afore ane could tell.
We'd chase him for hours all up and down t' gers,
And efter we'd ketched him he'd gallop nae warse.
And still he was wiet; a wieter thing,
A horse keeper niver to Brough Hill could bring.
He'd use his legs weel, but it wasn't to strike,
And strang legs they were teu, just t' mak 'at ye'd like.

We'll bury him wietly 'a by his sel,
Where t' water co's runnin' sae bonny frae t' well.
And we'll set an ake tree o'er t' galloway's head,
That 'll flourish lang efter we're a' on us dead.
T' barns 'll lake under 't, and t' auld folk 'll sit
And tell o' grand deuins lang sen as they knit.
And t' lasses 'll sit under 't milkin their kye,
And chitter and laugh wi' their lads 'at ga by.
And t' haymakers teu 'll co' thither t' rest,
And t' lile lads 'll clim up t' late a spink nest.
But they 'll nin on hem think, comin year efter year,
They 'll nin on hem think that lile Billy ligs there.

CHARLES PLATT.

THE HISTORY OF THE SEDBERGH GRAMMAR SCHOOL.

CHAPTER I.

BEFORE beginning to relate the history of the present Royal foundation it may be well to mention what is known of the first founder of Sedbergh School, Roger Lupton, Doctor of Canon Law. In an old book kept at Durham these entries have been found :—

“ John Riddyng, late of Birkshaw, near Sadber, and Richard Riddyng, late of Sadber, sought sanctury, because they had been aiding and abetting in the slaying of Thomas Lupton.”

“ Oliver Branthwayte, of Iveshopburn, in Werdale, on Saturday, the 18th day of September, A.D. 1479, sought sanctuary in the nave of Durham Cathedral, because he, on the feast of Epiphany, 1477, at Sadber, in the county of York, made an assault on a certain Thomas Lupton, and struck Thomas himself, with a certain knife, in his stomach, feloniously, from which the said Thomas died.”

“ Christopher Bowre, of Holgillrigg, below the parish of Sadber, county of York, on Wednesday, 1st November, 1479, sought sanctuary, because he himself, together with others, was present and aided, at Sadber aforesaid, at the feast of St. Peter ad Vincula, at the felonious slaying of Thomas Lupton.”

These two last announcements are, to say the least, mysterious. It will be observed that Oliver Branthwayte accuses himself of having slain Thomas Lupton on the feast of Epiphany, and Christopher Bowre says he helped to slay him on the feast of St. Peter ad Vincula, which is the 1st of August. We must conclude, therefore, either that there were two Thomas Luptons, killed on different days, or that one of the murderers gave the day wrongly. I am inclined to think the former the

more likely of the two, as there were so often two or more members of the same family who had the same Christian name, and this felonious slaying might have been an attack upon the whole family of Lupton, of whom this is the earliest notice I am acquainted with.

It has been conjectured by the authors of *Sanct. Dunelm et Beverl*, that Dr. Roger Lupton was the son of Thomas Lupton. One would like to know what was the public or private quarrel which was the cause of this felonious slaying, and also why the murderers did not take refuge at Durham until nearly two years after the murder ; but the record given above is the only one that I have been able to find of their crime. To return to certainties, the following deed, dated 1528, tells of the foundation of the school :—

“ Know all men by these presents that we, Christopher Hylton, abbot of the monastery of the blessed Mary of Coverham, in the county of York, and of the same place, by unanimous consent, and with the consent and assent both of ourselves and of Richard Mydlam, present vicar of Sedbergh, have consulted and devised, and by this our present writing have confirmed to Master Roger Lupton, clerk, one small close in the aforesaid Sedbergh, called commonly School House Garth, annual rent 99*d.*, in which now by the same Master Roger Lupton the school house has been built gratuitously, to be held in the same place for ever. Together with a certain messuage adjacent called ye Lofthouse, with all the lands and other purtenances of the same, which lately were in the tenure of James Bland and John Bland, at the annual rent of 3*l.* 2*s.*, to be had and held all and every aforesaid by the before-mentioned Master Roger Lupton, his heires and assigns, to the use of the ordination and foundation aforesaid for ever. Thence to be paid annually by the aforesaid without fail in equal portions to our vicar of the same for the time being twice in the year, at the times usual in the said place. In testimony of which thing we have caused our common seal to be affixed to these presents. And because then there was present there the venerable man Thomas Donnington, bachelor of law, archdeacon of Richmond, general commissary, therefore the aforesaid Richard Mydlam,

vicar of Sedbergh aforesaid, by his own special request obtained the official seal of the same Master Thomas Donnington to be affixed in the name and behalf of the said Richard Mydlam for more full authority and trust of these presents. Given at Coverham aforesaid, on the 12th day of the month of August, in the 19th year of the reign of Henry the 8th after the conquest of England.

By CHRISTOPHER HYLTON, abbot of Coverham.

By me, THOMAS DONNINGTON, clerk.

RICHARD MYDLAM, vicar."

This Lofthouse land appears to have been used by Roger Lupton with some other lands for the foundation of a chantry, which was either a small chapel or a part of a larger church, in which masses were sung to redeem the soul of the founder, or of persons named by him, out of purgatory. It seems very probable that if the murdered Lupton or Luptons were related to Dr. Roger, the chantry was founded by him for their benefit; it being thought in those days doubly necessary to pray for the souls of those who died by violence or in battle.

Be this as it may, the school was endowed by Roger Lupton with the revenues of his chantry; and Sir Harry Blomer, called in a deed dated 1536, chantrie priest of the said Roger Lupton in Sedbergh, was, as I suppose, the first master of the school, the first governors or feoffees being James Cowper, Rowland Bland, Harry Bland, and Thomas Bland. But Sedbergh was not the only place benefited by Dr. Roger Lupton. He was elected fellow of Eton College in 1503, and provost of the same college immediately afterwards. In 1504 he was made Canon of Windsor; died in 1540, (having resigned the provostship of Eton in March, 1535,) and was buried in Lupton's Chapel, a chantry chapel which he had built on the north side of the College Chapel at Eton.

On the door of this chapel is carved the rebus of his name, a ton with the letters L. U. P. carved between the hoops. Dr. Lupton also built at Eton the wing of the Provost's Lodge, containing the clock tower, which has also been called Lupton's tower. He had in the year 1528 "made and established within

ye Colledge of St. John the Evangeliste, in ye Universite of Cambrydge aforesaid, a foundacon for sixe scholers or disciples for ever to continue in the said colledge," to be chosen out of such as had been "brought up and have been scholers and students in Sedbergh School, and of no other."

In 1536 the master, fellowes, and scholers of St. John the Evangeliste in the Universitie of Cambrydge "granted for theyme and their successours for ever unto the sayde Roger Lupton, that he, to the honour of almightie God, our blessed lady, and all the saints in heven, and for the welthe of the soule of the sayd Roger Lupton, the soules of thois that the sayd Roger Lupton is bounde and wolle have prayed for, and for all christian soules at the nominacon and appoyntment as hereafter shalbe expressed, shall have two fellowes and two scollers founded and susteyned at the costs and charges onely of the sayd master, fellowes, and scollers within the Colledge of St. John aforsayd, ther to continue for ever of his foundacon over and above the sixe scollers that he hath now founded ther. Furthermor the sayd master, fellowes, and scollers of the colledge aforsayd, covenannten and granten for theyme and their successours unto the sayd Roger Lupton, that he from henceforth shall have nominacon and ellecon of the sayd two fellowes and two scollers durynge hys lyve naturall, and after the disseas of the sayd Roger Lupton then the sayd two fellowes and two scollers shall be at the nominacon and ellecon of the sayd master, fellowes, and scollers of the sayd colledge, and of their successours for ever, provided always that ye sayd two fellowes be ellected and chosen of thois persons which be now scollers of the foundacon of the sayd Roger Lupton now beyinge in the forsayd colledge of St. John's and of suche persons as hereafter shalbe scollers of his sayd foundacon in the sayde colledge for ever and no other. Also, the sayd Roger Lupton will that the same two fellowes and two scollers so ellecte and chosen, and their successours shall pray especially for the sayd Roger, takynge a speciall colect in any masse that thei shall saye expressynge the name of the sayd Roger Lupton, and after his disseas to take lykewyse a speciall colect for his soule and for all the soules that he is bounde to pray for,

and for all Christian soules, and when they or any of theyme shall make any sermon to the peple to pray specially for his soule expressynge of his name, and the sayd Roger trustith that thei wilbe favourable to his scollers to helpe theyme and to geve theyme good counsaill to grow in vertu and lernynge and to pray for his soule." . . . "the sayd master, fellowes, and scollers reseved in money of the sayd Roger Lupton 400*l*. of the goods of the sayd Roger Lupton for the purchas of certayn landes sufficient to beir the chargs thereof for ever," and were bound to fulfil their agreement by a penalty of 20*s*. for every month in which they kept a fellowship or scholarship vacant.

The vicar of Sedbergh, the chantry priest, and the feoffees of the school having power to sue the said master, fellows, and scholars "for the sayd 20 shillings, and for th' arrerags of the same, or els into the manour of Lytle Merthin, in the countie of Nottingham, or into all that manour and landes lying in the towne and fylds of Cambrydge, Colton, and Chesterton, cawlyd Narleton's Landes, whiche were lately purchased by the sayd master, fellowes, and scollers of the sayd Colledge of St. John's of Sir John Mordaunt, Knight, and Ely, his wyff, and enter and distreyne for the same 20 shillings and th' arrerags of the same," &c.

The third part of this indenture remained with Roger Lupton, the vicar of Sedbergh, Sir Harry Blomer, "chauntrie priest," James Cowper, Rowland Bland, Harry Bland, and Thomas Bland.

CHAPTER II.

SIR Harry Blomer seems to have been succeeded by Mr. Robert Hebblethwaite, who was made chantry priest and master of the school, sometime between 1537 and 1544, probably after 1540, as he became a Fellow of St. John's College in 1539, and would not, as Dr. Whitaker thinks, have been appointed to so important a situation immediately after his election to his fellowship. In his days the troubles of the school began, as related by the celebrated Roger Ascham in a letter "to the most illustrious Robert Holgate, bishop of Llandaff, and lord president of the north."

The letter is in Latin, but has been translated as follows:—
"Those always deserve very well of the state, most illustrious Prelate, who judge no private expence to be too great for forming the minds and manners of youth in general. For, from the beginning and foundation of this they very rightly indeed perceive that the State flourishes, and they stir up special praise to themselves. Now the praise of such a noble deed or undertaking Master Roger Lupton, a man of pious memory deserved, some years back, (though not in an equal degree yet in common with your government), who founded a public school, where the youth among the Sedbarians should be instructed in letters and gentility, and gave it, endowed with a certain small estate, for the support of a school master, and committed and entrusted it to our care, and, so to speak, control. Over this school we have lately set Robert Hebblethwaite, an honourable, peaceable, and learned man. He, finding that some injury was meditated against himself on account of that aforesaid school, by a certain Bland and a Cowper, (men of weight among their own people, through the abundance of their wealth and the number of their friends), caused us to ask for the exercise of your power in our letters, lest some violence or injury be inflicted on this school. Let the authority of your prudence so check and restrain the lust of these men, that so the rest of

the world may learn what it is to make an attack upon schools and seminaries for youth, which are themselves the foundations of a better commonwealth. If you will do this you will greatly oblige by this one kindness ourselves, the cause of learning, and the State. He who carries this letter will relate the whole matter to you more fully, and we earnestly entreat your lordship to give credence to him."

So far Roger Ascham, and we only wish that he had entered into particulars in writing, instead of leaving them to his messenger, by which we have lost much information, and must trust in part to conjecture. No doubt, however, the Bland mentioned in this letter was one of the family of whom I have spoken in an earlier chapter, and Dr. Whitaker believes that he was one Thomas Bland, the father of John Bland who was rector of Adesham, in Kent.

This John Bland was burnt with three others at Canterbury, in Queen Mary's reign, July 12th, 1555, on account of his views relating to the mass; and Fox gives a long account of him from letters which he wrote to his father, whose religious views are supposed to have been the same as his own. I give two short extracts from the "Book of Martyrs:"—"Then said Sir John Parker, 'Bland, we hear that you be a Scot, where were you born and brought up?' And I said 'I was born in England.' And he said 'Where?' And I said 'In Sedber, and brought up by one Dr. Lupton, provost of Eton College.' 'Well,' said he, 'I know him well.'" In another examination Dr. Faucet said "Mr. Bland, forasmuch as you and I were brought up in one house, and born both in one parish, I will be as glad as any man alive to do you good, but ye may not stand thus against the Church."

In another place Mr. Bland says that he had been Dr. Faucet's tutor, and as there was a Thomas Faucet living at Lockeбанke in the time of Henry VIII., the doctor may have been of his family. To return, however, to Bland and Cowper. It is very possible that they, like many other Protestants of their day, were desirous to seize on any lands which were likely to be taken from the Church, and as Dr. Lupton had endowed his school with the revenues of his Chantry, they might hope that

in the general confiscation of the property of all chantries, colleges, free chapels, hospitals, fraternities, brotherhoods, and guilds, they might come in for a share of the spoil.

Whether they were successful in any degree I do not know, or whether the Bishop of Llandaff responded to Roger Ascham's appeal; but the next thing we hear of Mr. Robert Hebblethwaite is in 1545, when he, (still being called chantry priest, and schoolmaster of Sedbergh), with James Cooper and Rowland Bland, and the other feoffees, made an indenture with Dr. John Tailor, master of St. John's College, and the Fellows and Scholars of the same, witnessing that "whereas Dr. Roger Lupton, when he established his six scholars in St. John's College, May 6th, 1528, had "declared and expressed out of what place and what p'sones the sayd sixe scollers should be chosen for ever . . . but in the latter foundacon of two fellows and two scollers, made no declaracon in his wrytinge out of what school or place the sayd two scollers shuld be continually chosen. Therefore nowe, as well at the instante suit, desyer, and labour off James Cowpèr, of Sedbergh, and at the contemplacon of his manifolde payne taken about the foundacon of the schoole at Sedbergh. As also because the sayd master, fellowes, and scholars be fullie adcertained and certified yt it was the sayd Mr. Dr. Lupton's will, desyre, and requeste, divers and sundrie times yt the elecon of his scholers and disciples of either of his foundacons myght be made conformable and lyke in all points. . . . Yt is condescended, covenanted, and agreed between the sayd p'ties. And ye sayd master, fellowes, and scollers promiseth, and by this p'sent themselfe bindeth, and their successors, yt they shalle from henceforth for ever choose, electe, and admitte the two scollers that be of the latter foundacon of the sd Mr. Roger Lupton, but onlie of such persons as have been brought up and have been scollers and students in Sedbergh School and of no other. . . . And furthermore because yt ye good mynde which ye sayd Roger Lupton bare chieflie to the helpe and releavyng of that poor countrie wherein Sedbergh standeth, and yt his goodlie and charitable mynde and foundacon should not be illuded, perverted, or utterlie destroyed by the sinister and suddill divises

or doings of any p'son it is condescended, covenanted, and agreed between the sayd p'ties. And ye sayd master, fellowes, and scollers by this present grantith and themself bindeth, and their successors yt thei yearlie at the ellecon of the scollers of the sayd Colledge shall choose, electe, and admitte into the room of any of the disciples of the foundacon of the sayd Roger Lupton, then vacante, none such scoller or scollers whom, at ye sayd ellecon time they shall p'rftittlie know other by the letters of the schoole master or any of the feoffees of Sedbergh, or by any other certain knowledge, not to have studied and continued at ther learning in the schoole of Sedbergh by one whole yeare's space at ye leaste."

With this agreement the history of Dr. Lupton's foundation may be said to end, for in the years 1546 and 1547 Acts were passed in Parliament by which "all chantries, colleges, free chapels, hospitals, fraternities, brotherhoods, and guilds" were forfeited to the king. Among the rest the chantry at Sedbergh, called Lupton's chantry, which the pious founder fondly hoped was founded for ever, was dissolved, and the lands sold by the king to Sir Edward Warner, Knight of the Hospital; Sylvester Leigh, gent., of Pontefract; and Leonard Bate, of Lupsett, Yorkshire, gent. These lands are said to have been "late or present in the occupation of Edward Bland, John Faucett, and widow of Thomas Faucett, Henry Bland, and widow of William Bland; and also Leonard Whitehead, James Lupton, Richard Lupton, John Harrison, John Faucett, James Faucett, William Cowper, John, son of Giles Lund, — Whitson, — Corney, widow of John Holme, Robert Faucett, . . . Reginald Corney, — Nelson, and widow of John Nelson, Christopher Nelson, John Faucett (de Mosse), Peter Faucett, Richard Braithwaite, Thomas Richardson, — Bland, William Weiring, Rowland Bland, Robert Lupton, Thomas Langstaffe, Bryan Langstaffe, Alexander Faucett, and — Faucett," and to have been situate in Sedbergh, Lockeбанke, Cautlowe, Frestrey, Dowbiggin, or elsewhere.

These particulars are from a roll in the Record Office, where also I found the following entries:—"Sedbergh. A chauntry there called Lupton chauntry, founded for a Schoole and so

contynued. In the sayd parishe of Sedbergh is one priest founde besyde the vicar to serve the cure there, the number of houseling people (illegible), and is a wyde parish. Robert Hebblethwaite, scholemaster there ; the same was founded by Dr. Lupton to pray for his soul, and to kepe a free schole as appeareth by foundation dated — March, —, and hath been so used hitherto, and is verie necessarie, for the bringing up of youth in that wylde countrie. Goodes, ornaments, and plate belonging to the sd chantry as appeareth. No goods. The yerely value of the freehold lands is (figures illegible). A light in the seyde parish wyth a some of money mayntayned. The same was founded by one Henry Blound (qu. Bland), to have contynuance for ever, the seyde some of money for the mayntenance thereof remaining in the hands of Thomson and Bryan, yeomen."

It does not appear exactly what lands belonged to the chantry, as the names of the farms are not given ; but it seems certain that Lofthouse remained to the school, as it does to this day, and also the school house and the mansion house of the master, which Dr. Lupton had built, were not destroyed. The school was by this means reduced to the utmost poverty, and remained in a forlorn condition until 1552, the year of its re-establishment ; and it was not the only foundation in this parish which suffered at that time.

There was then a guild called the Rood Guild, in Sedbergh, which possessed a farm called "Depemyre, lying in Cawodde, within the lordship of Hornby, besyde Aurum (alias Archolme) in the parish of Melling." This farm had been sold in the year 1530, by John Myers, of Thystylthwaite, in the county of Cumberland, gentleman, to James Cowper, Christopher Robynson, and Thomas Faucett, who may have been, very probably, the founders or members of the guild.

I find, in an old history of these times, that the word guild "proceeds from the Saxon word gelo, or gilo, which signifies money ; because that such as were either for charity, religion, or merchandise sake associated, did cast their money, goods, yea, and sometimes lands, together, for the publick support of their own common charge. They had their annual feasts and

neighbourly meetings." Those guilds which were founded for religious purposes devoted their money to almsgiving, founding of chantries, "in which mass was sung for such persons as were named by the founders," and other such works. To which of them the Rood Guild in Sedbergh devoted itself I do not know, as nothing is told of it except its destruction, and the appropriation of Deepmire to the benefit of the school.

CHAPTER III.

WE have now arrived at the date of the second foundation of the School, May 14th, 1552, on which day the letters patent which re-constituted it were issued by his Majesty Edward 6th.

The original charter is in Latin, but it was translated some time ago for the benefit of those governors who did not understand that language. It runs thus : —

“Whereas, Roger Lupton, clerk, had lately created a free Grammar School at Sedbergh, out of the rents, etc., of a certain chantry there called Lupton Chantry, which lands, etc., came to the hands of the Crown by force and virtue of an Act made for the dissolution of chantries, colleges, free chapels, etc., so that the said school cannot be maintained as the said lands are by us sold. Therefore we, at our special favours, etc., at the request of the inhabitants, and many of our good subjects in that neighbourhood, do will, grant, and ordain, for us and our heirs, that for the future there shall be one Grammar School in the said parish of Sedbergh, which shall be called the Free Grammar School of King Edward 6th, to continue to all future times. We create and ordain that one master and one undermaster, or usher, shall be continued in the said school, and that the said intention may take the better effect, and that the lands, etc., granted for the support of the said school may be better governed, we grant and ordain that there shall be twelve men of the most discreet and honest inhabitants of the same village and parish, who shall be called governours of the possessions, revenues, and goods of the Free Grammar School of King Edward VI. in Sedbergh. Therefore know ye that we elect, name, constitute, and declare, etc., James Duckett, Richard Middleton, James Cowper, Edward Bland, Robert Hebylthwaite, Robert Faucett of Howgill, John Robynson, Thomas Faucett, Humphrey Bland, William Cragg, John Cooke, and Hugh Robynson, inhabitants of the town and

parish of Sedbergh aforesaid, to be the first and moderne governours of the possessions, revenues, and goods of the Free Grammar School of King Edward VI., in Sedbergh, in the county of York, (that they) from henceforth may and shall be one body corporate and politick for ever. And that they shall have perpetual succession, and shall by the same name be fit persons in law to receive and take of us, land, tenements, etc., etc., hereinafter mentioned.

“And we do declare by these presents, that when any one of the twelve governors happen to die or go away to dwell with his family, or otherwise to depart out of the said village and parish of Sedbergh, that then it shall be lawful for the surviving governours there continuuing with their families to elect other fit person or persons of the inhabitants of the village and parish of Sedbergh, to succeed as governours in the place of such dying or going away, departing or about to depart with his family as aforesaid. We do by these presents give and grant to the governours aforesaid, all that our rectory and our church at Weston with all its rights, etc., being heretofore given, etc., etc., to sustain an anniversary in the Cathedral Church of York.* And also all houses, edifices, barns, stables, dove cotes, springs, orchards, gardens, lands, tythes of grain and hay, glebe lands, and all other profits, etc., whatsoever in any wise belonging, and the advowson, donation, free disposition, and right of patronage of the vicarage and church of Weston aforesaid, and also all that meadow, containing by estimation $1\frac{1}{2}$ acres, and two closes by estimation 2 acres, also 8 acres with their appurtenances, late in the occupation of Richard Waterhouse, lying in the parish of Halifax, and late belonging to the free chapel of Coley, within the said parish, and whatsoever lands, etc., in any wise belong to the said chapel of Coley. And also all that our messuage and tenement, etc., called Depemire, being in the parish of Melling, in the county of Lancaster, late belonging to the Guild called Rood Guild, in Sedbergh, also two closes, etc., about $2\frac{1}{2}$ acres, being in Skyecoate, in the

* The tithes of Weston and Askwith were seized by the Dean and Chapter of York about 1636.

parish of Halifax, late belonging to the late chantry called Hunter's chantry, in Halifax. And all that our cottage or tenement, and all lands, etc., late in the tenure and occupation of John Watson, situate and being in Fishlake, in the county of York. Heretofore given and granted to the sustaining of lamps in the church of Fishlake aforesaid. And all those our lands, etc., etc., about $7\frac{1}{2}$ acres, called Mary Crofts, in the parish of Thorne, late belonging to the chantry of the blessed Mary, in the church of Thorne aforesaid, in the county of York. And also all that our messuage, etc., etc., and 10 acres of land, and $\frac{1}{2}$ acre of meadow, with appurtenances. And also all that our messuage, land, tenements, etc., etc., known by the name of Allanthing, containing, by estimation, 30 acres, lying and being at Bramwith and Barnby, in the county of York, formerly belonging to the late chantry of the blessed Mary, in Barnby. And also all that our messuage, and our cottage, and all lands, tenements, etc., etc., lying and being at Bramwith and Barnby, formerly belonging to the late chantry of the blessed Mary, in Barnby aforesaid. And also one acre lying and being at Westhall. Also 1 acre lying into Thwaite, within the village of Thorpe. Also one acre of meadow lying and being into Old Inge, in Barnby aforesaid, and Fishlake or elsewhere. (The above three parcels of land formerly belonged to the late chantry of the blessed Mary, in Barnby.) Also all that our 18 acres of land, and 16 acres of meadow, with its appurtenances, lying at Stainford, in the county of York. And also all that our messuage and tenement, etc., etc., lying and being within the parish of Fishlake and Haylefirth, now or late in the tenures or occupation of William Simpson, Thomas Adlington, James Howson, and Christopher Howson, both the above to Jesu College, in Rotherham, formerly belonging. And also all the whole late chantry of St. Nicholas, in Ilkley, in the parts of Craven, with all its rights, etc., etc., known by the names of Packstone, Becklees, Edes, Longlands, etc., etc. And all and singular the hereditaments thereunto belonging. And the reversion and reversions of all and singular the premises, and of every part and parcel thereof, in as full, free, and ample a manner and form as any chantry priest, etc., of the

late chantries, guilds, or colleges, or any of them, or any other heretofore hath possessed thereof, or hath had, holden, or enjoyed, or ought or might have, hold, or enjoy the same or any part thereof, in the same ample manner and form as all and singular the same came or ought to have come to our hands by force and virue of a certain Act for dissolving and determining divers chantries, colleges, guilds, fraternities, and free chapels, in our Parliament holden at Westminster in the 1st year of our reign, which certain messuages, lands, tenements, rents, reversions, services, and all and singular the premises do now extend to the clear yearly value of 20*l.* 13*s.* 10*d.* To have and to hold the aforesaid messuages, etc., and all and singular other the premises with appurtenances aforesaid, to the modern governours, etc., newly elected and their successors for ever. To be holden of us, our heirs, and successors, as of our manor of Wakefield, by fealty only in free soccage,* and rendering yearly to us, our heirs, and successors of and for the aforesaid messuages, etc., part of the possessions of the late free chapel of Coley, 16 pence, and of and for the two closes in Skye-coate and Halifax, 2 pence and a halfpenny, to our Manor of Wakefield, and to pay yearly to us, our heirs, etc., after the death of the most reverend father in God, Robert, by divine permission Archbishop of York, for the messuages, etc., in Barnby, as well a certain annual rent of 13 pence halfpenny, as also a certain annual rent of 4 pence year by year, to be paid for all the rents, services, and demands, for the premises to us, our heirs and successors, in any manner or wise whatsoever.

“We do nominate and constitute Robert Hebblethwaite, clerk, in the office and place of a master, to enjoy the same so long as he shall live and behave himself well in that office. We grant to the said governors, etc., that for the future for ever they may have one common seal, so that it touch and concern the same only. And that the said governors may plead and implead, defend and be defended, answer and be answered, in whatsoever courts or places, and before whatsoever judge, in

* Lands held in soccage are lands held not on condition of military service, but on what are said to be certain inferior husbandry services.

whatsoever causes, actions, etc., of what nature or kind soever they may be touching the premises. And seeing that in consideration of 1,000*l.* of English money, by the aforesaid Roger Lupton, clerk, to the master, fellows, and scholars of the College of St. John the Evangelist, in the University of Cambridge, commonly called St. John's College, given and granted, it was consented and agreed between the said Roger Lupton, and the master, fellows, and scholars of the same college, that the same master, fellows, and scholars amongst the rest of the statutes which by the executors of the excellent Princess Margaret, Countess of Richmond and Derby, foundress of the said college, certain statutes and ordinances, ordained, incorporated, and made, for two fellows and eight scholars in the same college, to be sustained in all future times over besides and above the scholars for the foundress before given and instituted by other benefactors of the same college, which two fellows and eight scholars are to come forth instructed out of the Grammar School of Roger Lupton, at Sedbergh aforesaid, to be founded according to certain writings, agreements, and ordinances in their behalf made and kept, by virtue whereof the said master, fellows, and scholars of the said College of St. John have constantly hitherto been supported and maintained, and there ought to be supported and maintained in the said college two fellows and eight scholars coming forth instructed out of the school of Sedbergh.

“We will therefore, and by these presents, ordain that the same two fellows and eight scholars in the said College of St. John's, as before shewn, shall be sustained for the future, coming forth instructed out of our school at Sedbergh, by these presents advanced like as heretofore hath been accustomed to come forth and be elected out of the school of Roger Lupton erected at Sedbergh. And we by these presents declare and ordain that after the decease of Robert Hebblethwaite, now master, it shall be lawful for the master, etc., of St. John's to name and elect a master to the school aforesaid; and if they do not name and elect a master within the space of one month after notice to them given, that then it may be lawful for the governors, with the assent of the bishop of the diocese, to

elect and name a master to the said school. And we will and ordain that the said governors, with the advice and assent of the master and fellows of St. John's College for the time being, may make fit and wholesome statutes and ordinances in writing touching the ordering, governing, and directing the master, usher, and scholars of our school aforesaid, and to be supported in the said College of St. John's, which statutes and ordinances so to be made, we, by these presents command to be faithfully observed from time to time for ever. And farther, of our abundant favour, and by the advice aforesaid, we give and grant to the said governors and their successors special liberty and free and full power to have and take to them and their successors for ever, of us, our heirs, and successors, manors, messuages, lands, tenements, rectories, tythes, or other hereditaments whatsoever, within the kingdom or elsewhere within our dominions, for supporting our school aforesaid, so that they do not exceed the clear yearly value of 20*l.* over and above the lands and tenements, etc., etc., given to the said governors aforesaid.

“And we will and ordain that all the clear yearly rents, etc., be expended and laid out and converted to the wages and for sustaining the master and usher of our school, and to no other use whatsoever. And further, we will and ordain that the house where the school was formerly kept, and the mansion house of the master, shall remain and be converted to the like use for our school and mansion of the master thereof as hath been accustomed. And that the master for the time being shall hold and enjoy the same house, with all buildings, lands, etc., etc., thereunto belonging.

“And we will and by these presents grant to the governors these our letters patents under our Great Seal of England, in due manner to be made and signed without fee or reward, great or small, to us in our Hamper or elsewhere, to our use, therefore, in any manner to be rendered, paid, or done. In witness whereof we have caused these our letters to be made patents: Witness, the King at Westminster, the 14th day of May, in the fifth year of our reign. By writ of private seal, and the date aforesaid. By authority of Parliament.

“May 14th, 1552.”

“WAINWRIGHT.

It will be observed as rather a curious thing that the school which had been deprived of its property, because that property was the endowment of a chantry, was re-endowed with lands belonging to other chantries and religious foundations in other parts of the country. This arrangement was the cause of much trouble to later governors, as there was a great difficulty in collecting rents and looking after tenants, at the distance of a hundred miles or so from Sedbergh. There were many law-suits in consequence, and the governors must often have wished that his Majesty had left them in peaceable possession of Dr. Lupton's gift, and not followed the pernicious custom of those days, which unfortunately is not yet extinct, of "robbing Peter to pay Paul."*

In these days, however, the distance is of little moment, and the land has increased so much in value that, probably, the school has gained upon the whole.

* This significant byeword came from the fact that the Bishopric of Westminster was destroyed, and some few of the lands belonging to it and to the Abbey (St. Peter's), were laid out for the restoration of St. Paul's Cathedral.

CHAPTER IV.

It seems probable that Mr. Robert Hebblethwaite, the master appointed by the King, was the person mentioned in Roger Ascham's letter. We must suppose him, therefore, to have been a man of moderate views and quiet temper, or else so excellent a master that his services could not be dispensed with, as he had begun by being a chauntry priest, and was continued in his office of schoolmaster by the men who destroyed the chauntries.

I have not been able to find out how long Mr. Hebblethwaite held the school, but in the year 1562 he was still master, as appears from an award touching the rent of Lofthouse, a farm which still belongs to the school. The award is as follows : "Unto all true Christian people, to whom soever this present award indented shall come, etc. Robert Faucett, of Sedbergh, John Cooke, of the same, and John Holme, of the same, within the county of York, yeomen, send greeting in our Lord God everlasting. Whereas there have been divers variances, controversies, and debates heretofore had, moved, and depending betwixt Robert Hebblethwaite, clerk, schoolmaster of Sedbergh, of the one part, and Robert Bower, of the same Sedbergh, husbandman, on ye other part. And most specially for one parcel of ground which ye said Bower saith ye said Robert Hebblethwaite held from him. For quietness to be had therein both the said parties have committed and given their said matters to us, the aforesaid Robert Faucett, John Cooke, John Holme, of their full consent. Whereupon we deem, judge, and award that Robert Hebblethwaite and his successors, or they who shall have ye interest of ye tenement called Lofthouse, now in ye occupation of ye said Robert Hebblethwaite, shall content and pay yearly at Whitsuntide, for ever, 8*l.* to ye said Robert Bower and his assigns, or them who shall have ye tenement which ye said Robert Bower is in occupation of. Alsoe

we deem, judge, and award that the said Robert Hebblethwaite, his successors nor assigns, shall never give any fine, income, or grossome, to the said Robert Bower, nor his assigns, neither at change of lord nor tenant, but only the yearly rent of 8*d.*, as before is said. In witness whereof we, the aforesaid arbitrators to this said award, have put to our hands and seals, the 5th day of April, in the 4th year of the reign of our Sovereign Lady Elizabeth, by ye grace of God, Queen of England, France, and Ireland, Defender of the Faith, etc."

I have found no record of Mr. Hebblethwaite's death, nor of any other event until the year 1589, when leases were granted of farms at Ilkley to Robert Cowghyll, butcher, and Richard Gybsone, farmer, by the governors of the school, whose names are given in the lease, as follows: Richard Duckett, Francis Cowper, John Robinson, James Syggiswyk, junr., Gylberte Bland, James Faucett, Thomas Atkinson, Christopher Holme, and Henry Sawre. Cowghyll's lease was for twenty-two years, and the land which the governors "demysed, granted, and to farme lettyn," consisted of "one dwelling house, one barne, and one lytle house, one croft thereunto adjoining, one close cawlyd East Close, conteanynge foure acres, one other close cawlyd Syke Close, conteanynge one acre and a halfe, one rood of medow cawlyd Wheattags, three roods of ground cawlyd [word illegible], sytuat in the next holme, one close cawlyd Bynding Holme, conteanynge towards three acres or lesse, comons, comon of pasture and [word illegible], with all and singular ye appurtenances and all other p'fitts and comoditys thereunto belonging or in any wyse appertaining, or which have been knawen, tayken, rented, or occupied, or any part, parcell, or number of the sayme within the towne and fields of Ilkley aforesaid." For this he agreed to pay the yearly rent of thirteen shillings, four pence, of current Ynglishe money att the Feast of the Nativitey of St. John Baptiste and St. Andrew th' Apostle, by evyn portions to be payd att or in the south porch door of Ilkley Church aforesayd." (The following form of oath is in one of the governor's books: "I, A. B., do sweare according unto the grant and trust reposed in my p'decessors by King Edward the Sixth, constituting them a Corporation, and me a

member thereof now elected, well and faithfully to execute and p'forme the office of one of the governors of the Free Grammar Schoole of King Edward Sixth, in Sedbergh, in preserving the rights and privileges thereto belonging, and improving them to the best advantages of the said schoole, and therein I will discharge my conscience uprightly, soe helpe me God.")

The next event recorded is the granting of a lease by John Mayer, schoolmaster of Sedbergh, to John Graswith, of one acre of meadow in Kirk Sandal Ing, late in the occupation of George Brookby, of Halifax, gentleman, at the rent of 3 shillings (March 27, 1598). There were Mayers, or Mayres, whose baptisms and deaths are registered, but it is not stated that they belonged to Mr. John Mayer, M.A., master of the Free Grammar School. He was buried March 1st, 1622 (or 23), and a gentleman of his name died at Thorns Hall in the year 1670. He was succeeded, apparently, by Mr. Gilbert Nelson, who "was of St. John's College in Cambridge, mentioned in the register of that university to have taken both his degrees of that college, that of B.A., 1618-9, and that of M.A., 1622; but having never been fellow, was probably chosen master of Sedbergh School for his worth." (Life of Dr. John Barwick).

He had four daughters, all baptized at Sedbergh, the first in 1626, and is thus described in the life of his distinguished pupil Dr. John Barwick. "When John had lost much time under masters of little diligence, and not much learning, and was now well grown, he was sent to Sedberg School in Yorkshire, not without hopes, as it afterwards proved, that he would there make a greater proficiency in learning. His master there was Mr. Gilbert Nelson, a very good man, but that he did not constantly attend the school, for his salary not being sufficient to maintain his wife and family, he engaged also in a cure of souls, to the great disadvantage of his scholars. What time he could afford them he taught them Latin very well, Greek indifferently. He was a very pleasant facetious man, and by his many comments rendered so very agreeable what used to give most uneasiness in learning, that his scholars became fond of their books, though never so hard. They were wonderfully delighted when he undertook to explain any of the dramattick

poets, particularly Terence or Plautus, for whatever in them seemed difficult to the weaker capacity of the boys, he expounded with so much wit and merriment that all who had the least ingenuity were extremely in love with that sort of learning. In order also more thoroughly and clearly to explain the meaning of those poets, whether comedians or tragedians, he used to teach such of his scholars as he found fit for it to tread the stage now and then for their diversion, and act the several parts of those plays; without which kind of knowledge he knew he might fit them for the lives of monks or hermits, but not to bear any offices in the State, or perform the duties of a civil life. Among such as were most skilful in acting plays, he took greatest delight in John Barwick, and was mightily pleased to see him act so much to the life the part of Hercules raving in the tragedy, as to gain the applause of all the spectators."

Mr. Nelson is also highly spoken of by another pupil, Mr. Sedgwick, agent to the Countess of Pembroke and Montgomery, and born at Capplethwaite, in Killington; but, as he says, "Capplethwaite being sold, my father then bought a small estate a mile above Sedbergh, from whence I and my second brother went every day to the school there, being then of great note and eminence, under Mr. Gilbert Nelson, the worthy schoolmaster; who out of his love and affection to me, when my father began to decay in his estate, took me into his own house, and gave me diet and lodging for a year and above, with other scholars then boarders there. A great honour I had for the memory of so worthy a person; and though God did not prolong his life till my coming into the north in 1652, yet I had the means and opportunity, by the favour of my most honoured lady the Countess of Pembroke, to place his widow (then in a low condition) mother of her ladyship's almshouse in Appleby, then newly built and endowed by her, where she had a convenient chamber, a garden, and 8*l.* a year, during her life; taking a daughter of hers at the same time into her service, from whence she was afterwards well married."

I have not been able to find out what Church was served by Mr. Nelson to the detriment of the school; and there are no further records of him, except that in January, 1625, a power

of attorney was granted to him to hold a court at Bramwith Woodhouse, Bramwith, Barnby, Fishlake, and Stayneford, etc., and to collect rents, grant leases, etc., by He. Cowper, Thomas Atkinson, Edward Bland, Jo. Fothergill, John Bland, James Cowper, Edmund Guye, Theophilus Waidson, Reginald Robinson, John Robinson ; and in 1635 a similar power of attorney was given to Mr. Nelson and William Foster, of Tatham, Lancashire, gent., by John Bland, Edmund Guye, John Robinson, Theophilus Waidson, James Cowper, James Sidgewicke, governors of the school.

In 1648 Mr. Nelson died, and was buried June 26th ; and before entering on the history of his successor I will give my readers a short account of one of his pupils, Dr. John Barwick, whose life was written in Latin by his brother, and a translation published about the same date, from which the following chapter is principally derived.

CHAPTER V.

DR. John Barwick was born at Witherslack, in Westmorland. His father was of an ancient family (being descended from Thomas de Berwick, or Barwick, who had the command of the archers in the reign of Edward the 3rd), but possessed only a small estate, which he administered so prudently, as to bring up all his five sons well, and leave his estate increased when he died. Peter Barwick, who was seven years younger than John, was, like him, educated at Sedbergh, and at St. John's College, Cambridge, which he left probably on account of the ejections. In 1655 he was created doctor of physick, and married a kinswoman of Archbishop Laud about the same time. He practised in London, and directly after the Restoration he was made one of the king's physicians in ordinary.

In the following year he and his brother John had the honour of an addition to the arms of their family, of a red rose irradiated with gold. He left only one daughter, who married Sir Ralph Dalton, of Sherborn, in Gloucestershire. He was a zealous advocate of Dr. Harvey's discovery of the circulation of the blood, famous for his knowledge in the small pox and all sorts of fevers, and also was of great service during the eruption of the plague in London. "When the dreadful fire of that city the year following had driven him from the neighbourhood of St. Paul's, where he had purchased a house for the convenience of attending daily upon God's service in that cathedral; the same pious reason determined him to take another house very near Westminster Abbey, where he lived to a great age, and constantly frequented the six a clock prayers, consecrating the beginning of every day to God, as he always dedicated the next part of it to the poor, not only prescribing to them in their sickness gratis, but furnishing them with medicines at his own expence, and charitably relieving their other wants." (From the preface to the translation of the life of Dr. John Barwick).

He died on the 4th of September, 1705, in the 86th year of his age (having been for some years blind), and was buried near his wife, in the Church of St. Faith.

John Barwick went up to Cambridge in the year 1631, at the age of eighteen, and had for his tutor Mr. Thomas Fothergill, to whom he was greatly indebted both for his instruction and pecuniary aid. He studied hard, but diverted himself by pitching the bar, and football, and also by music. He used to sing in the choir, and in after years found his knowledge of church music "very useful for the management of a choir, when he was promoted to the government of a cathedral."

He early began to take a prominent part in the public affairs of that unhappy time, and was one of the persons who managed the conveyance of plate and money from the university to the king at Nottingham. This was a difficult business, as Cromwell had heard of the intentions of the colleges, and was lying in wait to intercept their offering, but it was conveyed safely through bye roads. Shortly after this the university was "visited" and the loyal members of it deprived of their incomes, and some of the more important imprisoned.

Mr. Barwick, who had been chosen fellow of St. John's College, gave an account of the sufferings of his own college under the title of "*Querela Cantabrigensis, or the University of Cambridge's Complaint.*" Before this he and some friends had written a book against the Solemn League and Covenant, which was not published, because it was thought by the Vice-Chancellor, Dr. Ralph Brownrigg, that it would endanger the heads of the university. Mr. Barwick, of course, was deprived of his fellowship, but he had left Cambridge a month before the ejections began, probably in February, 1643, and went to London, where he had the management of the king's affairs, and carried on a correspondence between London and Oxford, the king's head quarters. For greater convenience and safety in this business he lived in the family of Dr. Morton, Bishop of Durham, whose private chaplain he was, as Durham House, being large, afforded opportunity for hiding papers and cyphers, and his chaplaincy gave a sufficient reason for his residence in London. Here he endeavoured to bring back to their duty

those men that he perceived to be wavering, especially Sir Thomas Middleton, of Wales, who afterwards did good service to the King, and Colonel Roger Pope, who, however, had no sooner returned to his allegiance than he was seized with the plague.

In his last illness Mr. Barwick ministered to him, though the Colonel had hesitated to send for him for fear of infection, and also from a feeling that he had done so much to injure the Church that he did not deserve to be comforted by the clergy. Mr. Barwick managed to keep up a secret correspondence with the King, in cypher, and by means of various agents, all the time of his imprisonment ; and was with him after he was taken from Holmby House to the head quarters of the army. He was sent by the King to London, during the negotiations with the Parliament, and even went disguised as a soldier with Cromwell's army towards London, in order to find out how the common soldiers were affected to the King's cause.

When the King was removed to Carisbrook Castle Mr. Barwick still managed to communicate with him, in cypher, through one of his servants, Mr. Cressit. He also received and deciphered letters in London for and from others of the King's friends, particularly Mr. Thomas Holden, who being found out and imprisoned, Mr. Barwick went to see him, and succeeded in conversing with him in whispers through a chink of a nailed-up door, and so was able to find and burn all his cyphers and papers, and give warning to other persons who were threatened with imprisonment.

All this time Mr. Barwick seems not to have been suspected himself, but was able not only to do the King's business (on one occasion going from London to the Isle of Wight in one day and back again in the same time, without being tired) but also to help his less fortunate friends.

After the King's death he still would not despair of the Monarchy, but continued to correspond with the young King and his ministers abroad, one of his two brothers, Peter and Edward, who were both then in London, going to the post office for his letters, which came under a feigned name. Mr. Barwick was at this time in a very feeble state of health,

supposed to be in a consumption, and not likely to recover, insomuch that, with the assistance of his "dearest friend, Mr. John Otway," (of whom more hereafter) he had prepared himself a burying place where he might be interred with the rites of the Church of England. But at last he and his brother Edward, being betrayed by one of their agents, were brought before those in power, in the Holy Week of the year 1650, Mr. Barwick having left the Bishop of Durham some time before, and being in private lodgings, which he frequently changed to escape detection.

The brothers were examined separately, but nothing could be extracted from them, though John Barwick was threatened with torture to make him discover his accomplices. "But he, who (as they well knew) would never acknowledge for laws the military resolves of these new lords, made no scruple to answer undauntedly that neither he himself, nor any others with whom he had entertained friendship, had done anything that he knew repugnant to the laws of his country; and that if anything should possibly be extorted from him to the contrary by the force of torments, which that dry and bloodless carcase they saw of his might not be able to bear, it ought by all means to pass for nothing."

His brother Edward was threatened with death, and both brothers were charged with contumacy, but nothing could be proved against them or their friends, as Mr. John Barwick, before the messengers who came to take him could break open his door, which he always kept bolted, had burnt all his letters and cyphers. However, he was found guilty of high treason, and his brother suspected of it, so both were confined in dungeons in the Gate House of Westminster, by a warrant from Bradshaw, president of the new Republic.

Here they suffered a close imprisonment, none of their friends being permitted to see them, and were treated with great cruelty, until at the end of a few weeks Mr. Edward Barwick, when "almost destroyed with cold and hunger," was let out of prison, upon security to return there when summoned.

But his captivity had been more than he could bear, and he soon afterwards died of diseases brought on by his hardships.

“He was a young man of exemplary piety,” and had borne arms for the King under Sir Marmaduke Langdale as ensign in the company of Colonel James Bellingham. “After that gallant army of north countrymen was routed, taking his colours from the staff, he tied them round his waste, and brought them safe to his colonel.”

In the meanwhile, John Barwick, after three days’ imprisonment, had been again examined and threatened, and promised large rewards if he would confess what plots he had been privy to, but without effect. “Yet they thought it not advisable to put him to the torture, a barbarity in this age unheard of in England, and he reduced to a mere shadow;” but “by a warrant under Bradshaw’s own hand, dated the 12th of April, 1650, they order Mr. Francis West, Lieutenant of the Tower of London, to take into his custody this dying person. Nor after all this did they desist from their cruel threatenings, for they gave this reason for changing his prison, that he might be nearer to the rack, kept there to torture such incorrigible rebels, as they esteemed him; nor indeed, as false and perfidious as they were in other instances, did they use to fail the least tittle of what they threatened.”

“But Mr. Barwick’s hopes soared higher than to be the least affected with their dire menaces. In all difficulties he still preserved his mind firm and undejected, and at all times fortified his faith and patience with this pious reflection, that upon the very same day, according to the computation of the Church, Christ had endured more grievous sufferings for him, for it was on Good Friday that all this was done.” The Lieutenant of the Tower kept him very strictly, even nailing boards against his window to intercept the air, and not allowing him writing materials, or any book except the Bible, which he almost learnt by heart during his imprisonment. All his possessions had been seized, and no allowance was made for his support, while great difficulties were put in the way of any assistance from his friends, who were not allowed to see him, except one special person, and he only in the presence of the gaolers.

Mr. Barwick had always lived sparingly, but now was obliged to do so more than ever, not being desirous of causing more

expense to his friends than he could help. Among these friends must be reckoned the King (Charles the 2nd) who, having received the welcome present of a thousand pounds from Lady Savill, ordered two hundred to be employed for Mr. Barwick's relief, and endeavoured to exchange for him a prisoner he had made. But contrary to the expectation of friends or enemies, the spare diet, close confinement, and enforced idleness, were of singular benefit to his enfeebled health, so that after fifteen months, Mr. Otway having with great difficulty obtained leave from Bradshaw to visit his friend and carry messages from other friends in Gray's Inn, found Mr. Barwick so much altered for the better that he hardly knew him ; and "being almost astonished at the unexpected sight." "Is this," says he, "that Mr. Barwick whom I saw at our last meeting, or am I rather imposed upon by some apparition?" "Yes, indeed," replied Mr. Barwick, "you might formerly take me for a shade or an apparition, or anything of yet less substance, my dear Mr. Otway, when you was so good to take upon you the care of seeing my then wasted body duly interred ; but now I am again your very friend Barwick, since God of His great mercy has sent His Spirit into these dry bones, and beyond all hope commanded them to live under this severe confinement."

The two friends were left alone together by the Lieutenant of the Tower (who had been so won over by the goodness of his prisoner as to have become very friendly to him), and had a long and interesting conversation, Mr. Otway with much difficulty prevailing on Mr. Barwick to accept a small sum of money as a pledge of the further bounty of his friends if he required it.

Mr. Barwick's example had made so great an impression upon Mr. Robert Browne, the Deputy Lieutenant of the Tower, that he was, "together with his wife and family, daily at prayers with him ; received the blessed Sacrament from his hands ; brought his new born child to be baptised by him according to the rites of the Church of England ; and, indeed, became so thorough a penitent that he would no longer serve under the usurpation, but soon after returned to his own trade, that of a cabinet-

maker, as more honest, though less gainful." The sponsors at this baptism were the Lords Ogilby and Spiney, both prisoners in the Tower, and the wife of General David Leslie, who had been taken prisoner at Worcester, and was also himself present at the ceremony, though formerly an enemy to the Church of England, but, as he said on the occasion to Lord Ogilby, "such sacred offices as these are by no means unacceptable to me, which may be not a little owing to the extraordinary virtue and piety of this holy man."

By the favour of his gaolers Mr. Barwick's captivity was much lightened, and he was removed into a convenient room where he was allowed to take exercise and see his friends. The Government, during the last four months of his imprisonment, granted him five shillings a week towards his subsistence, chiefly through the entreaties of Mr. West, to whose endeavours also his liberation on the 7th of August, 1652, is principally to be attributed. This took place before the Government was seized by Cromwell.

Mr. Barwick being out of prison, devoted some time to his private studies, reading prayers daily at some friend's house. He had only been set free on condition that he would appear when called upon, but he was not troubled any more, though he soon began to turn his thoughts towards the restoration of the Church and King. To relate distinctly the part he took in this we must return to his friend Mr. Otway, who if not a Sedbergh scholar (and I think it likely he was one), may certainly be claimed as a Sedbergh man.

CHAPTER VI.

MR., afterwards Sir, John Otway, was born at Beckside, in Middleton, and was the son of Mr. Roger Otway, who died at Ingmire Hall, near Sedbergh, February, 1648. He was admitted pensioner of St. John's College, Cambridge, at the age of 16, June 3, 1636, and made fellow March 24, 1639. He was ejected with the rest of the fellows March 15, 1643, for refusing to take the solemn league and covenant, and other misdemeanours.

In Dr. Barwick's life he is called "that brave Mr. Otway, who first of all the University of Cambridge was not afraid publicly and learnedly to defend the Royal cause against the wicked association of those which were thence called the Associated Counties, in despite of the ringleaders of the rebellion and all their malice; first of all was thrown into prison for that heroick action; and being first of all expelled the University, courageously led up the first rank, as it were, of academick combatants, who fought so strenuously against savage brutes in that glorious conflict for their oppressed country; nor did he shew less courage afterwards in the field against the sworn enemies of the Kingdom than he had formerly done in the University."

He married, first, Mary Rigg, of Winchester, and secondly, Elizabeth, daughter of John Braithwaite, and niece and heiress of Thomas Braithwaite, of Ambleside. He was one of the readers of Gray's Inn, and during Mr. Barwick's residence in London he seems to have been there also. When Mr. Barwick was set at liberty, he and Mr. Otway and other Royalists, endeavoured to persuade those of their friends who were of the other party to return to their duty, and, in particular, Mr. Otway devoted his attention to his two brothers-in-law, Colonel Daniel Redman, who married his sister, and Colonel John Cloberry, who married his wife's sister. Colonel Cloberry com-

manded in Scotland, and Colonel Redman in Ireland. Colonel Clobery was a friend of General Monk, and Colonel Redman served under Henry Cromwell, and their brother-in-law laboured for seven years to bring them over to his side, in which at last he succeeded with the assistance of Mr. Barwick, who frequently came up to London from Sussex, where he lived under the protection of Sir Thomas Ersfield. After his death Mr. Barwick remained some time with Sir Thomas Middleton in Wales, with whom he had many consultations regarding his Majesty's affairs, and from thence went to London in the beginning of the year 1658, where he lived with his brother, Dr. Peter Barwick.

In his house, in St. Paul's Churchyard, he found an oratory formerly consecrated to God, but profaned during the Rebellion. He restored it to its former beauty, and constantly performed divine service there. In this house there were also many convenient hiding places for cyphers and letters, of which during this time Mr. Barwick received some from the King, and many from Sir Edward Hyde, afterwards Lord Clarendon. With the latter he had a long correspondence on the subject of consecrating new bishops, those prelates who remained being now very old, so that it was feared that the succession might be lost. The Restoration, however, happily prevented this misfortune. In the meanwhile, Oliver Cromwell being dead, and his son Richard Protector, the hopes of the Royalists began to revive, and Mr. Barwick had reason to believe that by the industry of his friend Mr. Otway, both Colonel Clobery and Colonel Redman were willing to serve the King when opportunity offered. Colonel Redman, however, was turned out of his employment in Ireland at the same time as his general, Henry Cromwell, and became for the present useless. Therefore, "Mr. Barwick, by his Majesty's direction, desired Mr. Otway to lay aside all thoughts of the affair in Ireland for some time, and take a journey into Scotland, and prevail with his brother-in-law, Colonel Clobery, to endeavour by all means possible to bring over his general to the King's interest, to which no accession could be of greater importance, and with whom the great opinion the general had of Clobery's courage, prudence, and fidelity, had given him no little credit.

Mr. Otway undertook the business willingly, and performed the journey at his own charges, in acknowledgement of which service and many others, he received the following letter from the King:—

“Brussels, Jan. 8, 1660.

“The person through whose hands this comes to you, hath enough informed me of your great affection and zeal to my service, and of the pains you have taken to advance it, of which you may be confident I have the sense I ought to have. I have writ to your friend (Col. Clobery) which you will deliver to him and use your interest in him, that he may take my business to heart; and persue it with his utmost industry and dexterity. I hope the issue will be good for us all, and you will find that I can never forget your part, and that I shall always be

“Your affectionate friend,

“CHARLES R.”

Mr. Otway had not been long at his brother-in-law's quarters in Edinburgh, when General Monk's brother arrived, also an emissary of the King, and he and Colonel Clobery and others used all the influence they possessed with the General to incline him to the resolution he finally adopted. In August, 1659, there was an unsuccessful rising of Royalists in Cheshire, and General Lambert, after having defeated them, marched his army against General Monk, who was, he knew, no friend to him, though Monk's real designs, if he had any, were at this time known to none, and could only be guessed at. Mr. Otway thought it a favourable sign that the General made use of Colonel Clobery to purge the army of such officers and men as he could not confide in, before he marched to England.

He sent three commissioners before him (of whom Colonel Clobery was the chief), and in London the colonel met Mr. Otway and Mr. Barwick, and also Colonel Redman, who they hoped would induce his old regiment to declare for the King. Colonel Redman set off for Yorkshire, where his regiment was encamped, and as soon as his old soldiers saw him “they bad their new commanders, Axtel and Zanchy, shift for themselves,

openly protesting they would serve hereafter under none but Colonel Redman, and their example was followed by the whole wing, to the number of fifteen hundred horse."

Thus a great obstacle in General Monk's road to London was removed, and Lambert's army weakened; but this celebrated march is a matter of general history with which Mr. Barwick and Mr. Otway had nothing to do but look on and wait, and send what tidings they could to their friends abroad. But when Monk declared for the King, Mr. Barwick was sent by the bishops to his Majesty at Breda to inform him of the state of the Church, etc.

He preached there before the King, and was appointed one of his chaplains. He also petitioned that his friend Mr. Otway might be put into a place then vacant in the Court of Chancery, to which he had some right from the grant of Charles the 1st.

I do not know whether this was the vice-chancellorship of the Duchy of Lancaster, or the chancellorship of the County Palatine of Durham, but Sir John Otway filled both these offices; nor do I know in what year he was knighted. Colonel Clobery was knighted and received a considerable pension. I cannot discover how Colonel Redman was rewarded. Mr. Barwick went to Cambridge and took his doctor's degree, but refused to turn out the holder of his fellowship, and would not ask for any preferment or favour for himself, except that he hoped to be confirmed in the possession of his prebendal stall at Durham, and the rectories of Wolsingham and Houghton-in-le-Spring, which had been given him by his late patron the Bishop of Durham, from the enjoyment of which benefices "the iniquity of the times had debarred him."

However, the King offered him the See of Carlisle, which he declined lest persons should think he had ambitious motives for his anxiety to fill up the vacant Sees, and was appointed Dean of Durham. He took possession of the deanery on All Saints Day, 1660, and reserved to himself only the living of Houghton, distant four miles from Durham. Here he liberally employed his large revenues for the public good, repairing the cathedral and the prebendal houses, erecting a grammar school, and bringing water into the college for the prebendal houses.

But he had not time to execute half he had intended, for before the year was expired he was appointed Dean of St. Paul's, and gave up his preferments in the north, where he would for his own part have preferred to stay.

He went to St. Paul's in October, 1661, and at once began to restore the musical service, which had been discontinued. (This he had also done at Durham.) He found great disorder in the cathedral, there being only two canons instead of twelve, and they neglectful of their duty, and began at once to do his best to remedy this state of things, subscribing largely to the repairs of the cathedral.

He was appointed prolocutor in Convocation, and by his labours there, and in his duties as dean, he again ruined his health, and was seized with his old distemper November, 1662. Notwithstanding, he would not be withheld from administering the Holy Communion in St. Paul's on Christmas Day, after which service he became much worse, and was ordered to have rest and change. The former he would never really take, but for the sake of the latter he removed to his living of Therfield, in Hertfordshire. Here he became a little better, and endeavoured to resume his duties in London, but was obliged to return to the country, and stayed at Chiswick by the express command of his ecclesiastical superiors, though even there he continued to work very hard in arranging papers, etc. He had a severe fit of vomiting blood, and going to London a short time afterwards he was seized with a violent pain in his side and died in three days, October 22, 1664. Dr. Henchman, Bishop of London, read the burial service over him; and his dear friend, Dr. Gunning, afterwards Bishop of Chichester and of Ely, preached the sermon, his text being Phil. i., 21, 22, 23, 24.

In his will he left his copy, in two volumes, of the Eicon Basilike to his "dearest friend, Mr. John Otway, who mainly by his advice and persuasion (to use the words of the testator himself) declined no labour nor danger that the King's son might be restored to his throne." He left, among other legacies, 40*l.* to Sedbergh School, 300*l.* to St. John's College, and 100*l.* to St. Paul's Church, and these three sums "to be

employed in the repairs of all those publick buildings." His epitaph was written in Latin by Mr. Samuel Howlett, a young gentleman of great promise, and fellow of St. John's College. I found an imperfect copy of it in a book belonging to the governors of Sedbergh School. The following is a translation : —

Sacred
 To Love, and to Generations to come.
 Thou that passest by, whosoever thou art,
 Bring hither thine Eyes and Understanding also,
 Intuitively both to look and lament.
 For within this marble Wardrobe are folded up
 The thin worn Weeds
 Of the valuable, substantial, and well accoutred Soul
 Of JOHN BARWICK, Doctor of Divinity ;
 To whom Westmorland may well boast
 To have given Breath and Being ;
 Next Cambridge may boast
 To have given him his first Admission,
 And St. John's College there a Fellowship
 In that Foundation :
 From which Fellowship
 (Which still makes more for his Honour)
 He was unjustly ejected by a Pack of Parricides,
 Who notwithstanding
 Regardless of the Rage of those bloody Times,
 Or his own Blood-spitting Malady equally pernicious,
 And at length more certain, alas ! to destroy him :
 Boldly attempted and successfully managed
 Matters of the greatest Difficulty and Danger,
 In the behalf of the King and Church ;
 And for that Cause
 Was shut up in a dire and loathsome Prison,
 Where he suffered inhuman and barbarous Usage.
 Yet with a constant and undaunted Spirit.
 And in the end he saw,
 By the Miracle as it were of a new Creation,
 The Revival of both Crown and Mitre,
 Himself vigorously assisting at the new Birth of both.
 Last of all
 For his active Services, and passive Sufferings,
 He was dignified with the Deanery of Durham,
 Which he held a few months,
 And afterwards with that of St. Paul's

Which he enjoyed three years,
 Tho' either of them too short a Season,
 Yet discharged both with singular care and Fidelity,
 Living and dying a Bachelor,
 And strictly chaste and sanctimonious
 Both in Soul and Body :
 And being much debilitated
 By a long and lingering Consumption,
 Here he rests in the Lord,
 And deposits his Remains
 Among those ruinous ones of St. Paul's Church,
 Being confident of the Resurrection
 Both of the one and the other.
 He died in the 53d Year of his Age,
 And of our Lord 1664.
 Reader, if thou desirest to know more
 Of this Reverend Churchman
 Go Home, and learn
 By the conspicuous copy of his sincere Devotion
 What it is to be a true Christian indeed.

This is taken from the translation of Dr. Barwick's Life,
 and so is the original Latin, which is as follows : —

Amori et Æternitati.
 Quisquis es Viator,
 Oculum, animum, huc adverte, lege, luge.
 Jacent sub hoc marmore
 Tenuēs exuviæ non tenuis animæ
 JOHANNIS BARWICK, S. S. Th. D.
 Quem suum
 Natalibus gloriatur Ager Westmoriensis,
 Studiis Academia Cantabrigiensis,
 Admissum socium in S. Johannis Collegium
 Indeque, quod magis honori est,
 Pulsum à Rebellibus.
 Qui nec perduellium rabiem,
 Nec Hæmoptysin, quamvis aequè cruentam,
 Et certius heu ! tandem percussuram,
 Quicquam moratus,
 Pro Rege et Ecclesiâ summè ardua molitus,
 Diro carcere perquam inhumana passus.
 (Inconcussâ semper virtute)
 Renatum denuò vidit et Diadema et Insulam,
 Etiam suâ non parum obstetricante manu.
 Qui deinde functus

Decanatu Dunelmensi paucis mensibus,
 Paulino verò triennio,
 Parum diu utroque, sed fideliter ;
 Tandem (post cœlibatum
 Cum primis castè cū primis sanctè cultum)
 Labe pulmonum et curis publicis confectus,
 Heic requiescit in Domino,
 Atque inter sacras Ædis Paulinæ ruinas,
 Reponit suas
 (Utrasque resurrecturas securus)
 Anno ætatis LIII.
 Salutis MDCLXIV.
 Cætera scire si velis,
 Discede et Disce
 Ex illustri primævæ pietatis exemplo,
 Etiam sequiore hoc seculo,
 Quid sit esse veri nominis Christianum.

His brother, Dr. Peter Barwick, observes, that he was spared much sorrow in dying before the Great Fire of London, which, however, it was remarked by his affectionate friends, spared that part of the choir of the Cathedral where he was wont to celebrate the Eucharist, and one little Oratory which he used for his private prayers. From the likeness of him affixed to his life, Dr. Barwick would appear to have possessed handsome features and a pleasant face.

CHAPTER VII.

WHILE these various events were in progress Sedbergh was not without its own share of trouble. The University having been visited before the death of Mr. Gilbert Nelson, it was to the usurping master and fellows that the governors of the school had to address themselves in the year 1648, and they received the following reply : —

“ A Coppie of the College letter of recommendation of Mr. Jackson.

“ St. John’s Colledge, Cambridge,
July 31st, 1648.

“ Gentlemen, — We, the master and senior fellows of St. John’s Colledge, in Cambridge, understanding by your letters of June 30th (which came to our hands July 6th) that the Free Grammar School of Sedbergh is now void by the death of Mr. Nelson, finding that it belongs to us to elect a schoolmaster within a month after notice of a vacancy, duly considering the present condition of ye schoole (not without takeinge to heart yor affectionate address made to us for a good supply), and earnestly desireinge to approve ourselves to God and men in the faithful discharge of our duty herein, have made choice of the bearer hereof, Richard Jackson, Master of Arts heretofore of our colledge. A man of such approved abilities and conversation, and withall of such experience as wee cannot but hope that he will by God’s blessinge prove instrumental for regaineing the reputation of yor schoole, and promotinge as well pietie as learning among you, wee therefore heartily recommend him to your love (not doubtinge of his friendly reception) and you to the guidance and grace of Christ, in whom we are yor assured friends — JO. ARROWSMITH, JS. WORRALL, GEO. SIKES, JO. PAWSON, THO. GOODWIN, SAM HERON.”

How little Mr. Jackson deserved the high praise bestowed on him in this letter the following account of his actions will show. He seems, very soon after his arrival in Sedbergh, to have begun to quarrel with the governors of the school, and to engage them in various expensive lawsuits. They paid one of their attorneys, Mr. Ward, from June, 1650, to August, 1654, 55*l.* 11*s.* 7*d.*, and more was still owing; for various expenses in the same suit, 11*l.* 9*s.* was paid. Another bill was 22*l.* 18*s.*; and another, for expenses and repairs, was 106*l.* 12*s.* 1*d.*; and yet another, for the second suit against Mr. Jackson, was 21*l.* 8*s.* 1*d.* These various expenses I believe to have been for a suit between the masters and governors respecting a tenant at Stainforth. The governors had granted a lease of their land there to William Coulson for twenty years, at a rent of 23*s.* 4*d.*, the fine being 15*l.* Coulson underlet the land to a man named Swift. But the previous tenant, John Wright (who had paid 15*s.* 4*d.* per annum, and whose lease had expired in 1645), had underlet the farm to one Sympson, and this Sympson, supported by Mr. Jackson, claimed the farm.

In November, 1651, Baron Thorpe, one of the justices of assize at York, required Sir Robert Barwick to call the parties before him and make an end of the suit between them if he could. He heard them both, but found, as he says, "the schoolmaster unconformable to reason." His opinion was decidedly in favour of the governors, especially as Coulson was willing to pay a larger rent, and the lands were worth six or seven pounds a year more than they were let for. I know not how this suit ended; perhaps it dropped of itself, as more important ones took its place.

The governors received from June, 1650, to October, 1654, rents from various tenants, from three of them arrears (Deepmyre, the schoolmaster of Halifax, and John Waterhouse), in all amounting to 131*l.* 19*s.* 2*d.* I do not know whether the law expenses were paid out of the revenues of the school, but it seems as if they had been, as the accounts of them are among the school papers. The governors must, however, if they paid any income at all to the master, either have borrowed money, or paid some of the many and heavy expenses themselves,

which they might think worth while if they could so rid themselves of their enemy. About five years after Mr. Jackson's appointment they addressed the following petition to the master and fellows of St. John's College (1653-4): —

“ A Petition against Mr. Jackson. ”

“ To the Right Worshipful the Master and Senior Fellows of St. John's College, in Cambridge, the humble Petition of the Governors of the Free Grammar Schoole of Sedbergh, together with the Minister and other Inhabitants of the same Parish.

“ Sheweth, that your petitioners have for the space of five years patiently borne what, with much prejudice, they have sustained by the turbulent and vexatious temper of Mr. Richard Jackson, master of the Free Grammar School of Sedbergh, who noe sooner gott footing here by your worshipful approbation and commission, but as one wholly bent to recke the good of Posterity thereby to launch his owne private interest, he forthwith engaged us in a long and tedious suite, much to our disturbance, but (as God would have it) more to his owne both disadvantage and discredit, wherein the publick face of justice has taken such notice of his own lesse, as well as groundlesse clamours, that both the Honourable Baron Thorpe and the Right Worshipful Sir Robert Barwick have publicquely reprehended him in the canvasse of these differences 'twixt him and us. And the whole county can wnesse what open checks was given him for his misdemeanour by the full bench at the generall sessions held at Pontefract, the 4th of April last, sufficient to render a man of any forehead but his both silent and penitent. But that (Right Worshipfull) which more afflicts us is the great dishonour of God, and the great neglect of the duty of his charge, arising from his debauched and dissolute conversation. A constant haunter of Alehouses, frequently intoxicated with immoderate drinking, who (without regard had either to the gravity of his function or the duty of the day) on a late Sabbath was most notoriously drunke, engaged wagers of no small value to kindle strife and adverse contention to the

breach of the blessed bond of peace and love amongst us, and the no lesse scandall of his sacred profession. In the pursuite of which disordered disputes he has now for a long time deserted his employment, shut up the schoole rooms, discharged the usher, and those few schollers left, who are soe thinned by his gross neglect, that scarce a sixt part of that number his former predecessors usually had either is or has any time been resident since he came amongst us, soe as were not the schollarships and fellowships built upon this royall foundation a greater invitation than any improvement to younge students can be hoped from his tuition, the schoole of Sedbergh in all probability had long ere this sunk under his tyranny on one side and remissnesse on the other. And the schoole house, instead of young Athenians, been left a lodging for owls and batts to roost and rest in. Further, we crave leave to minde you how miserably he has suffered the mansion houses to delapidate, that if we had not interposed in a speedy repaire, not only the houses themselves, but even their ruins too had perished. In a word (for we delight not to pursue complaints to the period, how just soever, and should we attempt it here, not onely this paper but this day would faile us), so vexatious has his carriage been that while he is amongst us none will share in office with us in lieu of those whom death hath taken from us. And as he hath outdonne all former president in his practise, soe he has left us short of all expression for reproof.

“May it therefore please your reverend society, out of a tender regard had to the memory of our noble and pious benefactors, not to suffer the immunities and privelidges of this Royall (and late flourishing) foundation to be sacrificed to the proud, petulant, and pedantige humour of the present incumbent. But out of your grave wisdomes either to authorize Mr. Garthwaite, master of arts of your college, who by his long continuance here and civill and carefull managery of his charge, both well understands the constitution of the schoole and well deserves our commendation to it, being formerly put in by order of Parliament, or (if your wisdomes shall otherwise resolve) to send us some well qualified person who, by the blessing of God, may both preserve what little is left, and in

time repaire what is so nearly lost, in order to the fame and credit of this now widowed foundation. And your petitioners shall be ever bound to pray."

This petition has no signature to it, neither can I find that it ever received any answer ; possibly the college were not able to assist the petitioners. Mr. Jackson afterwards stated that the governors sent a "scurrilous railing petition to the colledge" in May, 1654, and also to Whitehall to the commissioners, who were then sitting there ; but neither petition seems to have produced any effect, as Mr. Jackson continued in his office for some time longer, until the governors appealed to a more powerful body.

Before their petition to the college, the Long Parliament had come to an end, and also all the various committees and sub-committees for sequestrating livings and expelling clergymen and schoolmasters from their benefices. Cromwell and the Independents were now in power, and in the beginning of the year 1654 a new ordinance was issued "for ejecting scandalous, ignorant, and insufficient ministers and schoolmasters."

In March, 1654 (1653 according to the reckoning of that time, which began the year on the 25th of March), a committee of about forty persons was appointed, who were called tryers, and sat at Whitehall, and no one could be appointed to any benefice who had not been approved by them "to be a person for the grace of God in him, his holy and unblameable conversation, as also for his knowledge and utterance able and fit to preach the Gospel." They chiefly directed their attention to finding out the "precise time and manner of the conversion of the candidate, but also required that all who presented themselves for approbation should bring a certificate, signed by three persons at least, of known godliness and integrity (one of which to be a preacher of the Gospel in some settled place), touching their godly and unblameable conversation." (See Walker's "Sufferings of the Clergy.") And an ordinance of September 2, 1654, provided that no one should be appointed to a benefice until the Protector and his Council were satisfied of their conforming to the government of the day.

Perhaps it was in order to travel up to London and present himself at Whitehall that Mr. Jackson shut up the school in April, and absented himself for three months (though he does not say so), but he was certainly approved by the tryers about June, 1654, in spite of the complaints of the governors. Shortly afterwards, however, a Court of Commissioners for Ejecting Scandalous Ministers, etc., sat at York, and the opportunity was at once seized by the inhabitants of Sedbergh and Garsdale, who began a new prosecution in 1655, as is shewn by the following letters : —

“ Jan. 15th, 1655.

“Mr. Cowper,—I have sent the inclosed from Mr. Huddleston Phillipson, with directions how to prosecute, as you may perceive, soe as I desire you would consider hereof and take advice by Mr. Howley (yf he be in Yorke), to present the articles and keepe coppies therein, and gett a summons from the commissioners to give him notice before he goe forth of the country, and lett not anything be awanting, whatever it cost. I pray you lett my cosen Edmond Ward know this much. I intend to goe for London next Tuesday, soe I desire to have some account before I goe. Nothing els but my ever kind respects and regards.

Your assured friend,

“JO. FOXCROFT.”

“ Jan. 19, 1655.

“For my very loving friend, Mr. John Cowper, att Sedberghe, theise. Accordinge to directions to us, we have drawn articles against the party you know, which we hope may be duly and truly ended against him (a coppie thereof we have herein enclosed and sent you, with a coppie of yor first petition to the college). The committee for ejecting scandalous, ignorant, and insufficient ministers and schoolmasters, of Tuesday, August 29th, 1654, wherein you may se your way of p'secution, therein desiringe you to put yor articles in forme, and to direct us the way for p'secution, and to returne them with all speed and safety. Upon Wednesday last, Mr. Adamson, their attorney, delivered a declaration to James Sedgwick, who lives at ye Lofthouse, a coppie whereof we likewise send you, and ye

declaration itselfe we shall deliver to Edward Foxcroft, who we shall direct to come to you to advise for a plea. This is all we have to present to you att present, but that we are your faithful friend and lo. brother."

In February, 1655, Mr. Jackson called the governors before Mr. Asheton and Mr. Coates, two of the justices of the peace for the West Riding, at Giggleswick, upon two warrants from His Highness Cromwell, upon Mr. Jackson's petition. "He there laboured to prove who first entered into the schoole after Mr. Jackson leavinge of the same, and whether the feoffees then forcibly kept him, the said Jackson, furthe of the schoole, but could not prove the same." I suppose that no further steps were taken in the matter, though the governors appear to have taken advice as to whether it was material for them to "pleade Mr. Jackson herein."

The following paper is dated March 5th, 1655:—"By the commissioners for ejecting scandalous, ignorant, and insufficient ministers and schoolmasters, for the West Riding and City of York, it is ordered that the business concerning Mr. Jackson, of Sedbergh, be putt off and suspended until our next meeting in ye assize week at York, upon Wednesday, ye 19th instant, at which tyme Mr. Jackson is to appeare, and our clarke is to give coppyes of ye depositions and Mr. Jackson's answers to ye prosecutors. Signed by order of ye aforesaid Commissioners. — JO. STEPHENSON, Regr."

The depositions of the witnesses from Sedbergh which were made upon oath before the Commissioners were as follows:—

"Mr. Edmund Ward, of Sedbergh, deposeth, that upon the 9th day of January, 1653, being the Lord's Day, he see Mr. Richard Jackson, school master of the said school of Sedbergh, very much distempered with drink, in a common ale-house, in-joining that he could not repeat the words that he had newly spoken, and the landlord of the house wagered a flaggon of ale with the said Mr. Jackson that he could not remember or repeat the words which the said Mr. Jackson had spoken; but the said Mr. Jackson lost.

"Mr. Richard Garthwaite, of Sedbergh, deposeth, that being usher to the said Mr. Jackson about the beginning of Aprill,

1654, (he) discharged this deponent, and the said Mr. Jackson locked upp the schooll doores and absented himself for the space of three months or hereabouts, all that tyme taking noe care of his schoole.

“John Cowper, of Sedbergh, in the county of York, deposeth, that about the 1st or 2nd day of April, 1654, Mr. Richard Jackson aforesaid, did leave his schooll, locked upp the doores, discharged his schollers for the space of three months. And the said John Cowper further deposeth, that the said Mr. Jackson, during his residence at Sedbergh, was a common frequenter of alehouses, and this deponent hath seen the said Mr. Jackson at several tymes, both in Sedbergh and other places, much distempered with drink.

“Henry Guy, of Sedbergh, deposeth, that upon a Friday, about the 9th or 10th day of May, 1653, this deponent, having an occasion to goe into an alehouse, in Sedbergh, found the said Mr. Jackson in the said alehouse drinking, and at that tyme the said Mr. Jackson was soe full and distempered with drink that he was forced to lye down upon a bedd in ye said alehouse (to which bedd he had much adoe to gett) and there began to talke, but this deponent could not understand him, he faltered soe sore in his speech.

“Richard Cowper, of Sedbergh, deposeth, that upon a Lord’s Day, about the 9th or 10th of January, 1653 (this deponent then living in the house where the said Mr. Jackson then lodged), he, this deponent, see the said Mr. Jackson sore distempered in drink; and this deponent at night went to help him to bedd, and the said Mr. Jackson sitt downe in a chair, but being so much distempered he could not sitt, but fell out of the chair upon the boards; soe that this deponent was forced to call for help to gett the said Mr. Jackson to bedd. And he was a constant frequenter of ale-houses while he was at Sedbergh.

“Edward Fawcett, of Sedbergh, deposeth, that the said Mr. Richard Jackson, about the 1st day of April, 1654, did lock upp his school doores and absented himselfe for the space of three months, all that tyme takeing noe care of his school, and the said Mr. Richard Jackson at several tymes before hath left his school for a month together. He further deposeth, that

this deponent see the said Mr. Jackson about (Michaelmas) distempered with drink for three or four days together. And, also, on a Lord's Day, about Martinmas, 1653, this deponent was at Garstall, with the said Mr. Jackson, when and where he, the said Mr. Jackson, was very full of drink, and as he came home he could scarce keep his horse, and he would have ridde in the water (being then very high,) but was prevented by this deponent.

"True coppies examined by Jas. Stephenson, registrar."

It will be observed that all the occurrences mentioned in these depositions took place before Mr. Jackson's approval at Whitehall, as he remarks in his defence. I cannot find out whether all these accusations were brought before the tryers or not ; if they were, Mr. Jackson may probably have defended himself by stating that his "conversion" took place after these events, as his defence before the commissioners at York seems to imply something of this kind.

I have not found any of the names of these witnesses, except that of John Cowper, among the governors. The depositions from Garsdale bring much the same accusations (though in that place, to which Mr. Jackson had been appointed minister about 1648, he seems to have had some friends), and are as follows, being dated March 19th, 1655, which it will be observed was near the end of the year:—

"John Guye, of Garsdale, deposeth, that about September, 1655, Mr. Richard Jackson left his congregation at Garsdale for at least three months, not once looking after his people, nor took any care for the supply of it. He further deposeth, that Mr. Jackson, coming one Lord's day, the 30th December last, to Garsdale, being his parish church, being very wett, lighted at an ale house, and told his people he was soe wett he could not preach, and soe disappointed his congregation, and the said Mr. Jackson came that day from a place called Baynbrigge, about ten miles distant, where he did not live.

"Christopher Parkinson, deposeth, that about ye 21st September, 1655, he seeing Mr. Richard Jackson at Clapham, he believes ye said Mr. Jackson had bin drinking, and he thinks he was something distempered with drink, and this deponent is

induced to believe this, in regard the said Mr. Jackson was chollerick in some discourse to this deponent.

“Oliver Linsey, of Garsdale, deposeth, that in Sept. 1655, Mr. Richard Jackson, minister of Garsdale, left his cure here for at least 3 months together. And he further saith that on a Lord’s day, in December, 1655, the said Mr. Jackson came to Garsdale and lighted at an ale house in the dayle, and the said Mr. Jackson kept in the alehouse, with some company, and did not preach to his parishioners.

“Symon Nelson, of Garsdale, deposeth, that in September, 1655, the aforesaid Mr. Jackson left his congregation at Garsdale for at least three months together, and the said Mr. Jackson did not provide any to supply the cure, that this deponent heard off.

“True coppies executed by J. Stephenson, registrar.”

“Mr. Jackson went and absented himselfe from Garsdale the 2d of Aprill, 1654, being the Lord’s day, leaving the church without cure untill July, 1654, being 3 months or upwards. And that he absented himselfe in the like manner in September, 1654, until May, 1655, being 7 months and upwards. And likewise that he absented himselfe from June, 1655, until the 30th of December, 1655, being about 6 months, being the Lord’s day, then comeing to Garsdale, the people being there assembled at the church, expecting some exercise from him, he betooke himselfe to the ale house, utterly neglecting his office and duties. And further, that he upon [day illegible] 1655, being the Lord’s day, did fall into such extravagances and raileing Termes in his Exercise to the great dislike of his hearers, in so much that some of them left him.

“John Guye can affirm this last, for he upon his dislike of Jackson’s raileing Termes went out of the Church. I perceive that Mr. Jackson goes about to get a certificate from the dale for Testimonie of his good conversation. But if you thinke it fitt and necessary, I will do my endeavours to get a certificate from Mr. Burton (of Sedbergh), and Mr. Waller (being two of the next ministers) of Jackson’s negligence, and this I preferre to your serious consideration, and shall ever study to render myselfe to be, your most observantly obedient servant,

“JOHN COWPER.”

CHAPTER VIII.

To rebut these accusations Mr. Jackson produced the following testimonials :—

“To the noble the Lord Maior of Yorke and ye rest of his Highnesses Commissioners for ejecting scandalous ministers, etc. in the West Riding, sheweth unto your honours yt this day hath been shewed unto us most scandalous artickles exhibited before your honours against Mr. Richard Jackson, schoolmaster of Sedbergh and minister of Garsdale. And at the request of the parishioners aforesaid wee are intreated to certifie our knowledge and opinions in reference to ye said artickles.

“To the 1st artickle we dó not believe it to be true, for we have heard the said Mr. Richard Jackson preach at Kendall, and doe conceive him to be an able minister of the Gospell, but we refer it to ye tryall.

“To the 2d, we can say nothing.

“To the 3rd, we do not conceive it to be true, seeing ye said Mr. Richard Jackson hath lived within 7 miles of us, wee have knowen him about seaven years and upwards, and yet never knew ye said Mr. Richard Jackson guilty of what is exhibited against him in ye said artickles. Neither ever heard any such report, but hath often heard otherwise by men of judgment and piety.—ROBERT JACKSON, Maior, ROGER BATEMAN, JA. GREENWOOD.

“Kendall, 15th March, 1655.”

“To the Rt. Noble the Lord Maior of Yorke and the rest of his Highnesses Commissioners for ejecting scandalous ministers in the West Riding, etc.—

“The humble certificate of us, the inhabitants of Garsdale and Grisedale, sheweth that upon Sunday, ye 9th instant, Mr. Richard Jackson, our minister, did openly publish certain scandalous artickles exhibited against him before your honours.

Wee therefore ye inhabitants aforsaid, doe conceive our selves bound in conscience to certifie unto your honours the truth according to our knowledge concerning the same.

"To the 1st artickle we doe conceive ye said Mr. Richard Jackson to be a very able minister and preacher of the Gospell.

"To the 3rd artickle, ye said Mr. Richard Jackson hath been our Minister for 7 years or thereabouts, but hath bin an Inhabiter amongst us but about a yeare and a halfe or somewhat more, and in all that tyme wee never have known him to be any ale-house haunter or distempered in the least kinde by any excessive drinking, nor ever heard him soe accounted off. — GEORGE HEBER, RICH. ATKINSON, ROB. SHAW, WM. NELSON, JO. DAWSON, JO. NELSON, WM. DAWSON, RICH. SHAW, EDW. STOCKDALL, JO. MORLAND, JAMES THOMPSON, JAMES WILSON, JO. DARBY, ABRA. NELSON, THO. HEBER, JOHN HOLME, REGINALD WIN, JO. WIN."

It will be observed that in neither of these testimonials is anything said about Mr. Jackson's conduct at Sedbergh; and, indeed, it does not seem clear how the Mayor or any other inhabitant of Kendal (distant $10\frac{1}{2}$ miles from Sedbergh), could have much opportunity of forming an opinion as to his behaviour there (much less in Garsdale, seven miles further off) if he stayed at home and attended to his business in either place. It is also curious that George Heber and Abraham Nelson (whose names are appended to the Garsdale testimonial) are the same names that were borne by those who signed a remonstrance against the illegal engagements which the House of Commons endeavoured to impose upon the nation. (*Vide* chap. ii. in the History of Sedbergh).

Another strange thing is, that Mr. Jackson would appear, according to the testimony of his friends, to have resided in Garsdale for a year and a half before he was petitioned against by the much enduring governors and inhabitants of Sedbergh. Before that time he seems to have lodged in an ale-house in Sedbergh, as far as I can ascertain from the depositions against him; and I cannot find anything decisive about the mansion-house of the master, though it is frequently mentioned.

The governors, however, at the beginning of the present century remark that "Lofthouse, being the only school estate adjoining the town of Sedbergh or near the school, has an ancient dwelling house upon it, wherein it is supposed the master used formerly to reside;" and at Lofthouse, in 1656, Mr. George Otway resided, and paid 5*l.* 4*s.* for rent. It might be that Mr. Jackson, being frequently absent, found his house an incumbrance, and I do not know whether he was married during the period of his mastership, though he left a widow. His name does not appear in the registers, but he most likely would not be married at Church, nor his children (if he had any) be baptised there.

I cannot find that he had many sympathisers in Sedbergh in his political and religious opinions, and there is nothing in the registers to show that any change was made in the church. Mr. Burton, who is called curate of Sedbergh, first appears in 1636, when his son Christopher was baptised; and he had four other children, the youngest of whom was baptised in 1647.

In the list of vicars given by Dr. Whitaker from the Registry of Chester, there is the name of Thomas Briscoe from 1637 to 1660, when he died, and Leonard Burton succeeded him. The name of Mr. Briscoe does not appear in the Sedbergh registers, but I find it in the list of Fellows of Trinity mentioned in "Walker's Sufferings of the Clergy" who were turned out of their fellowships. He is known to have held an office at Cambridge in 1643, and I conclude never resided at Sedbergh, so Mr. Burton was his curate.

In 1652, George Fox, the founder of the sect called Quakers says he wrote to "—— Burton, priest of Sedbergh," and in 1680 Mr. Leonard Burton, vicar of Sedbergh, died. I find the following entry among the expenses of the governors:—"To Mr. Leonard Burton, for other yeares rent, fourth of the Loft-house, 16*s.* 0*d.*," in 1656; and this I conclude to be the rent secured to the vicar of Sedbergh when the farm was originally demised to Roger Lupton. There is a gap in the register of baptisms from December, 1627, to August or September, 1630, when they are copied in a beautiful clear hand by Jo. Bracken (p^rish clarke in 1698) until 1649.

A gap again occurs until 1654, but the register is on loose leaves, and might easily have been accidentally spoilt or lost. The marriages between 1641 and 1648 are also missing, but the funerals go straight on after 1602. It will be observed, therefore, that these gaps do not coincide with the dates of the beginning and end of the rebellion. Mr. John Otway, the friend of Dr. Barwick, is mentioned as of Ingmire Hall, in 1658, when his daughter Margaret was baptized, and his father, Mr. Roger Otway, died there on the 12th of February, 1648. Mr. George Otway, brother of Mr. John, seems to have held his opinions, and expressed them in rather a violent fashion, as will appear subsequently.

It is remarkable that Mr. John Otway, though he had been dismissed from his fellowship, on the charge of malignancy, seems to have had no fear of bringing himself into public notice, by taking an active part against Mr. Jackson.

The influence of the gentry is said to have been very strong in this neighbourhood, which is perhaps the reason there were fewer changes than in other places during this troublesome time, or it may be that the living was so small that no Presbyterian or Independent cared to dispossess the vicar. At any rate, Mr. Jackson seems not to have been held in high estimation, for I cannot find that one person in Sedbergh spoke in his favour; perhaps because his delinquencies as a schoolmaster admitted of no question. He shall shortly speak for himself, but in the meantime, unless there is a mistake in the date of the papers relating to this business, the commissioners seem to have proceeded at once to eject Mr. Jackson, before, indeed, some of the witnesses' depositions can have reached them, those of the inhabitants of Garsdale who were against him bearing date, March the 19th.

The writing of this last named paper is, however, so indistinct, that I cannot be sure that it did not belong to the next year. Here follows the instrument of sequestration:—

“March 20th, 1655. By the commissioners for ejecting scandalous, ignorant, and insufficient ministers and schoolmasters for the West Riding and City of York. Whereas the Free Schooll of Sedbergh, in the West Riding aforesaid, is now vacant

upon the ejecting and displacing of Richard Jackson, late school master there. We doe hereby sequester the said Free Schooll, and all and singular the dues, profitts, and benefitts belonging to the said school. And wee doe nominate, appoynt, and impower you whose names are hereunder written, sequestrators and trustees, to receive and gather all and singular the dues and profitts belonging or payable to the said Free Schooll of Sedbergh. And you are to give us an account (when required) of what you shall receive by virtue of this order, and if you provide an honest, well-affected, and able man to officiate during the vacancy, and untill the schooll can be supplied, you are to satisfy him out of the profitts, giving an account thereof to this court. To Jo. Otway, Esquire, Jo. Cowper, gent., Adam Sawyer, Rich. Holme, Jo. Bland, Antho. Willan, Tho. Blaiklinge, James Hebblethwaite, or any three of them. Signed by JOHN GELDART, THO. BOURCHIER, ROBERT WASHINGTON, J. DICKINSON, JO. WARDSWORTH."

Against this judgment of the commissioners Mr. Jackson sent the following eloquent remonstrance, dated May 5, 1655. [I conclude that he must have begun his year in January]:—

"An answer to those three articles exhibited against Richard Jackson, clark, pretended maister (as they speak) of the Free School at Sedbergh, and now minister of Garsdale. 'Firstly, as touching the 1st articles concerning insufficiency (I say) first that the colledge conferred that upon me in 1648, "not as a gift, but as a reward," in respect of my approved ability and conversation to promote learning and piety in those parts, as appears by their letters I brought when I took possession, if they dare show them; as also by their reiterated letters to these pretended feoffees, when they understood some of their gross breaches of trust, as is expressed in my printed petition. 'Secondly, there is in the colledge the properest judge of sufficiency in either kind, one Mr. John Fothergill, senior fellow, who was bredd upp under Mr. John Maiers, my immediate predecessor; [This is a mistake, Mr. Nelson was the immediate predecessor] and one Mr. Blaisthing, lately fellow, and now at a country living near Cambridge, who was bredd upp all his tyme under my predecessor, Mr. Nelson. If my adversaries will agree to

it, and you by your order, I will adventure the tryal before Dr. Arrowsmith (master of St. John's), and Mr. Duggon (who was Greek lecturer), and if I do not make it appeare before those judges to the face of those two nominated, that neither of my predecessors (whom they commend) was equall, much less superior, to myself, either in learned ability for the school, or constant sedulity in the school, or for a godly, honest conversation, seconding a theologicall sufficiency for the good of the country and the schooll, in propagating Gospel truths and confuting of heresies (which referreth partly to ye 2d article also) then I will relinquish my right and tytle, saving only for my arreares."

It will be observed that Mr. Jackson does not venture to call on any Sedbergh person to testify to his "godly, honest conversation," or "constant sedulity in the school." "Further, to ye 2d article, I say that ye scholars I did not discharge when I locked upp ye doors in April, 1654, and discharged Richard Garthwaite, Clark (having appoynted another to teach those who came in my absence, as appeareth by oath) because he turned apostate proselyte (as may appear by a letter lately written to him by one Brian Walker), he being what I expressed him in my printed petition; and, therefore, justly rejected by the colledge upon their articles against him in 1649, and ought to be for now having introduced ye observation of the holly days (with their eves) which I had abolished and brought to ye Parliament order.

"But unto this article I answered more fully before the justices, using some arguments answerable for ought could be said to the contrary then, with some others to the same purpose, so fully answering that worst part of the 3d article concerning January 9th, 1653, though not used then, yet shall be ready against Easter week, if I may have leave to write them fair over. To the 3d article I say, that being an opinion or proposition copulative, it is false in logick as well as in law, the first part being a manifest slander, for Mr. Jackson hath given evidence enough to the contrary, and can give more if need be to the full satisfaction of any who are impartial, that he is noe haunter of ale houses, but one who hath desired and endeavoured

ye reformation and correxion of all their abuses (as may appear by another printed petition which some of these deponents had in their hands long since), and by his constant renouncing of all evill society, but of some of those his adversaries, and of all others who have insinuatingly sought it both before and since his approbation, which together (with ye Schooll cause) is that which irritates them with an implacable spite to afflict him whom they cannot infect.

“Secondly, for that clause of being drunk upon ye Sabbath, January 9th, 1653. 1st, it was not upon ye Sabbath, neither according to the Old Testament nor ye New.” (Note. I have looked into a prayer book of the year 1638, and I find that the 9th of January did fall on a Sunday in the year 1653, so I cannot account for this very impudent assertion, unless, as I have before said, Mr. Jackson began his year in January, or unless he supposed that his judges, having no prayer books, would have no calendars, and therefore could not convict him of a mistake).

“And, neither my will nor desire was engaged in that sin, but that barbarous ruffian, George Otway (bearing a spit to me in refference to his brother and ye cause of ye Schoole), having sought my company before, and mist of it was drinking with some of his complices at my lodging.” (Again the question arises, why did Mr. Jackson live at an alehouse?) “And when I had supt within at night he sent ye hostess to intreat my company, which I yielded to, but then about 9 or 10 of ye clock when he grew scurrilous and quarrelsome in his language, not hearing of a reckoning I bid good night, for I would to bedd, saying, ‘what cometh to my share I will pay it,’ soe I went away calling for a candle; but ye said Otway urged his companion to reduce me back againe by faire means, which he refusing, Otway came himselfe and pursued me to my chamber, and swore he would have his company upp or I should downe, or els he would never depart, but burne all rather, and soe forced me once downe againe, not suffering me to pinne mine owne door; and then with his complices forced drink upon me, and urged words to take advantage quite contrary to what I said. I being then in danger of my life being amongst

such a crew of villaines, and utterly unable to quit myselfe of their insolent abuses, having a sore legg, and me necessitated to take so much drink as did stupifye me.

“Thirdly, God did by this sink my spirit with such repentance ever since, both for this and other failings, that through the grace of Christ I am (in a measure) rejoiced to hear myselfe so injuriously railed at, and reproached for ye relicks of ye old man yet remaining in me.” (On this I would observe that his repentance does not seem to have been genuine, for he was declared to have been “distempered with drink” in the same manner on several occasions after the 9th January, 1653.)

“Fourthly, they have made use of this very thing in a scurrilous railing petition to ye colledge, and commissioners at Whitehall, to hinder my approbation there in May, 1654, and to Mr. Attorney Prideaux, in ye court, and by one Chamberlane to the trustees, who questioned me about this very thing, and received full satisfaction, soe that I have their order to attest the same sufficiently.

“Fifthly, John Cowper offered it to ye Justices, and now to you, ye worthy commissioners, if it seem good to your grave wisdoms that implacable adversaries of such reprobate humours in all their conversation should still cast that in my teeth which I have spitt out of my mouth soe long since, with a sincere conscientious detestation, as all ye godly in that country very well know.

“For ye other parts of this 3d article, they are mere calumnyes to exasperate your spirits by ye ugliness of ye accusation, that soe I may be despited for repenting. I must referr all legall advantages against these my violent adversaries. First, they call me late maister, and excluded maister. Why then should they meddle with me on this score?

“Secondly, this, which is the latest thing that they alledge, was almost half a year before mine approbation at Whitehall, which court acted before you came in power, to execute that yor commission.

“Thirdly, I doe not see how you can legally proceed against mee, except something be alledged and proved since my approbation.

“Fourthly, but if at the spiteful instance of men, burning with the desire of revenge, you will revive those buried offences (of human frailties) to bespatter the approved in favour of his persecutors soe to reproach (as it were in despite of those, his approvers) them, consider whether your authority in so acting should not absolutly bawde it to the base malignity of such fellows.

“Fifthly, if I may have due tyme, I will manifest it that in ye schoole’s cause, and upon this occasion you can neither hurt me nor help mine adversaries, except you will usurp upon and goe against ye tenour of all lawes, and abandon all sound principles upon which honest and godly patriots ingaged in judgment and conscience in that great controversie against the late King, and ye finall scope and end of this constitution and settlement, and the true declared interest; together with ye godly intention of ye said Lord Protector, and ye glory of God in the reproach or prejudice of such as sincerely close with ye Government in favour of ye few and wilde fellows, who adhere to those old principles and that cursed interest which they cannot renounce. As also by hardening men to an impenitent impudency, according to ye paganish opinion of ye Roman orator.”

“A true copy by Jo. Stephenson, registrar.”

How far the charge which Mr. Jackson brings against Mr. George Otway is well founded, there is no evidence to show, but I find the following statement in Fox’s Journal, 1657:—“I passed into Westmoreland,—till I came to John Audland’s. —The next day in the meeting time came one Otway, with some rude fellows. He rode round about the meeting with his sword or rapier, and would fain have got in through the friends to me, but the meeting being great, the friends stood thick, so that he could not easily come at me. When he had rid about several times raging, and found he could not get in, he at length went away. —This wild man went home, became distracted, and not long after died. I sent a paper to John Blaykling to read to him while he lay ill, shewing him his wickedness; and he did acknowledge something of it.” Probably his intention was more to frighten than to hurt, or why did he

not bring some more effective weapon than a sword? I believe this "wild man" to be the same person as Mr. Jackson's "barbarous ruffian," because I find that Mr. Otway's brother George did die in March, 1658, which would agree with Fox's account. Unfortunately for his character, we have it only from his enemies.

It certainly seems very remarkable that Mr. Jackson should have been ejected by the commissioners for offences committed, as he truly observes, before his approval by the committee at Whitehall. Had it been a year or two later, we might have supposed that the reaction in favour of what Mr. Jackson calls "those old principles and that cursed interest," had set in; but in 1655 Oliver Cromwell was still in power. However, it appears that there was some doubt as to whether the school were really vacant or not, and perhaps Mr. Jackson may have appealed to some higher court, for no new master was appointed until April 22nd, 1657, the date of the following instrument:—

"By the commissioners for ejection of scandalous ministers for the West Ryding and Citty of Yorke.

"Whereas, upon the ejection of Mr. Richard Jackson from the Free Schoole of Sedbergh, in the West Ryding aforesaid, the said Free Schoole is vacant and unsupplied: And forasmuch as wee have received a letter from Dr. Antho: Tuckney, master, and the senior fellowes of St. John's College, in Chambridge, concerning the learning and abillities, life and conversation of Mr. James Buchanan, Master of Arts, and off his fitness and sufficiency for a schoole master, and desiring that wee would allow off and confirme him into the place and trust off the said schoole of Sedbergh. Upon consideration of the said testimoniall from the said master and fellowes of the said colledge, we doe hereby approve, constitute, and confirme him the said Mr. James Buchanan, in the maistership of the said schoole, and the rights, profitts, and priviledges thereunto belonging. T. DICKENSON, THO. BOURCHIER, CHRISTO: WATSON, ROBERT WASHINGTON, MARMA: RAYNER, JES: DIXON."

The following letter is from the master and fellows of St. John's College:—

“April 10th, 1657.

“(To the governors.)

“Gentlemen, — Whereas that our Free Schoole of Sedbergh is become void by the ejection of Mr. Richard Jackson, late schoole master there, and being well satisfyed of the good life and conversation of Mr. James Buchanan, Master of Arts, as also having made serious tryall of his learning and abilityes, and finding him very fitly qualified for that imployment, wee have chosen and do hereby chuse and nominate him, the said Mr. James Buchanan, to be master in that our Free Schoole, and desyre you to receive him as soe, and to let him have your best assistance and advise for the receiving all the dues and profitts belonging to the said schoole. And not doubting of your chearful compliance, herein we take leave and rest your loving friends, ANTHONY TUCKNEY, THOMAS FOTHERGILL, ISA WORRATT, HENRY EYRE, LAW: FOGGE.

“St. John’s College, Cambridge, Aprill ye 10th, 1657.”

After this, I do not know what became of Mr. Jackson, except that he seems to have carried on a very long lawsuit with the governors for his arrears. These arrears I suppose to have been the fifth part of the yearly income of the school, which, according to the ordinance of Parliament, was granted to all those clergymen and schoolmasters who were ejected from their benefices. In many cases, as appears from the history of these times, this small pittance was paid only partly, and often not at all, to those clergymen who were ejected for their loyalty to the Church and the King; and in Mr. Jackson’s case also there seems to have been a long altercation before anything was paid. The governors might certainly have said that they had been made to spend so much money by Mr. Jackson, that he could hardly claim anything from them.

It will appear from the following accounts what the receipts and expenses of the school at this time were :—

“Concerning ye suit with Mr. Jackson, 1656.

| | £ | s. | d. |
|--|-----|-----|--------|
| Received of Robert Dawson for Depemyre, for a half | | | |
| year from Pentecost, 1656 | .. | 0 | 13 4 |
| From John Waterhouse | ... | ... | 0 16 8 |

| | £ | s. | d. |
|---|-----|----|----|
| Of the tenants at Ilkley, Weston, and Mr. Vavasour ... | 9 | 13 | 6 |
| At Doncaster, June, 1656 ... | 2 | 13 | 0 |
| Of Robert Dawson, November, 1656 ... | 0 | 13 | 4 |
| Tenants of Ilkley, etc. ... | 9 | 13 | 6 |
| John Waterhouse ... | 0 | 16 | 8 |
| Of Mr. George Otway, for rent of ye Lofthouse, 1656 | 5 | 4 | 0 |
| Of Edward Fawcett, Geoffrey Fawcett, and John Washington, for cowgrass at Lofthouse, 1656 ... | 2 | 0 | 0 |
| Of Robt. Dawson, Nov., 1656, for a fine for Depemyre | 10 | 13 | 4 |
| In July and December, 1656, of John Waterhouse, a fine | 21 | 19 | 4 |
| Feb., 1656, of Mr. Holme, a fine for land at Barnby-upon-Dunn ... | 6 | 13 | 4 |
| Total ... | £71 | 10 | 0 |

Disbursed.

| | £ | s. | d. |
|--|-----|----|----|
| To James Bainbrigg, for carrying a letter to Cambridge to assist the solicitors, etc. ... | 1 | 10 | 0 |
| To Mr. John Otway, at Pentecost, 1656, in defence of the suite commenced by Mr. Jackson against us upon the school accompt ... | 4 | 0 | 0 |
| To the said Mr. Otway, in December, 1656, upon the like accompt ... | 2 | 0 | 0 |
| More, Feb., 1656 ... | 10 | 0 | 0 |
| To Mr. Foxcroft, our attorney in Chancery, for fees, etc., December, 1656 ... | 5 | 6 | 8 |
| Ditto, Feb., 1656 ... | 3 | 0 | 0 |
| Mr. Ward, our attorney at Common Law, July, 1656 | 3 | 0 | 0 |
| Ditto, Nov., 1656... | 6 | 0 | 0 |
| To Mr. Leonard Burton, for other yeare's rent, 1656, forth of the Lofthouse ... | 0 | 16 | 0 |
| Paid to Mr. Gibson for officiating in the schoole from Aprill, 1656, till May, 1657 ... | 13 | 19 | 6 |
| Besides yett owing to him ... | 5 | 10 | 0 |
| To Thomas Strickland, Esqre., for rent forth of Lofthouse, 1656 ... | 3 | 3 | 2 |
| Total ... | £58 | 5 | 4 |

“Disbursed in goeing to justice of peace upon his Highness the Lord Protector’s reference to him upon Mr. Jackson’s petition, and to procure a warrant to summons our witnesses.”

For this and some other items the sum is not mentioned, but

it will be seen that the balance left in the hands of the governors must have been very small. Besides this suit, also, there had been two others, one costing 106*l.* 12*s.* 1*d.*, and the other 21*l.* 8*s.* 1*d.*, and this third suit must have gone on for years, as on the 5th December, 1660, Mr. Buchanan received from Mr. Otway 10*l.*, for the prosecution of the suit against Mr. Jackson.

There is among the school papers a copy of a letter signed "R. J.," which appears to have been written by Mr. Jackson, though it is not addressed to any one person. How it came into the hands of the governors, who were certainly not Mr. Jackson's old friends, I do not know. It is as follows:—

" My old friends, July 19th, 1661.

" Yours I received on Saturdaie last, and have written these for my old friend A., to shewe that myne assize of novel dessizinge is in the sheriffe's hands, who sent it downe soe soone as ever he knew who should ride the circuit. And when the assize wold be, but he feareth that they cannot impanell men to viewe the plese and to have a returne in soe short a tyme and then must I suffer an (essoyn?) I am disappointed of money I expected and therefore cannot come downe yet, if he were at the assize I shold write to Mr. Turner who wold shew him all the businesse, and if need were he can witness how I was kept out by force. I carried Mr. Turner, who performeth the office of Under-Sheriff to Judge Jenkins, who shewed him the nature of the writt and all the particulars out of Ployden, intimatinge that if they did not appeare there might be an assize per defaultum, but he is conceited it cannot be done this assize for all the judge his allegacon, then must I looke this assize upon the which he saith he will upon receiving of the writt pricke me a jurie which shall performe it. In the mean time, that the school maie be p'vided, I wold appoint yor sone Gilbert to teach as usher under me, and you maie p'ferr it to them if he be not better placed, for I will be their, God willings, soe soone as I can; but you maie know by what I writt now they will partt with nothings of myne which they wrongfullie keepe and detaine till God shall dragge it out of their bellies. If our friends Eliz: cold spare you so much money as wold beare your charges it wold not be amiss that

you were att Yorke towards the latter end of the assize, for you know the whole business upon the which myne assize of novel dessizinge is grounded, and have already deposed enough agst George Otway to cleare the case, for the question is whether I was kept out by force, which both you and yor sone and manie more know to be true before ever their with anie such crewe as these complices, therefore looke so narrowly as you can in the businesse, and inquire of Mr. Turner what returne the sheriff maketh or to what the judge maie saie as to that of their owne time of [word illegible] assize per defaultum in the non-appearance of the F. in case it come so farr. However, send me word by post what you shall see, heare, or observe. And then God will find out a waie for us, which is and hath been my sole refuge in all my afflictions and under my oppressours through the speirritts of the prince of the aire present here even at this present. So with salutations to yor familie, my praiers for you all, desiring yors.

"I remain yor old friend, R. J."

As Elizabeth was the name of Mr. Jackson's wife, it is possible that part of this letter was addressed to her, but it is very confused and unintelligible. The following is from Sir John Otway :—

"For Mr. John Cowper, Sen., at Kendal, Westmorland, these Mr. Cowper,—I think Mr. Jackson has taken out new attachments upon the old false ground that John Tennant served you with the decree under seale, and shewed you the seale and gave you copyes of the same, which you have often told me is notoriously untrue. I know Tennant dare not affirm it, for the decree was never drawne upp nor sealed — pray gett some to speak to the bayliffe in that appearance shall be given, and this terme I hope to gett things right. However, be not affrighted with every bug beare, for he wilbe a tormentor as long as he lives, altho' if it can be made out (as the truth is) that you never see this decree under seale, he wilbe caught in his owne trapp.

"This is all from yor assured friend, J. O.

"May 27th, 1662."

I quote the following letter to show some of the many difficulties which must have beset the Governors in managing their distant tenants, and as shewing some of the consequences of Mr. Jackson's behaviour : —

“ 1663.

“ Good Mr. Cowper, — I had long ere this wayted upon you and ye Governors of ye schoole, had I not been hindered by a long and tedious sickness, which hath lyen upon me ever since ye beginning of December last, and as still continues, soe yt. I am not able to stir abroad, nor able to supply my needs but by the help of others. And since I perceive (by reason of a false information) yt ye Governors are urged for me to take so tedious a journey, noe lesse than to ye hazarding of my life, I have, therefore, p'vayled with my brother to undertake it for me, and to know yr pleasures and wt it is wh they require of me. I wonder yt any credence should be given to such an one as Foster, who is a man yt will ayther speak or sweare anything for his owne advantage and ye hurt of another. He is so quarrelsome a fellow yt he hath gott ye name of Lawyer Foster in ye towne where he lives, and what a notorious lye he hath informed you, yt I have sold my lease for freehold land when all ye county about us knows it is but a lease, and if I had assigned it to my sister I think I might have done it, as well as to assigne it to him or any other tenant, without any p'judice to ye schoole, considering by yt means ye farme would be undivided and soe not mix amongst other men's lands. He hath beene so dishonest a tenant unto us yt no man will or can endure it. He will pay us noe rent, and swears yt he payed a rent before hand (when he entered) to Mr. Segar, which we know he was not able to do ; and besides we have had him and Mr. Segar together, and Mr. Segar denies to his face yt ever he received any rent before hand, and yet for all yt he thinks to outface and defraud us of it. He owes a whole yeares rent and 30s. besides, and we cannot get a penny of him without suite. He keeps possession of ye farmes, as he saith for ye schoole, though by our old lease wee have title to it untill October next. He lets ye houses goe downe, ye land (he reported himselfe) was soe out of heart yt no man knew where

to sett a plough in it. He joyned with Mr. Jackson agst ye feoffees, and would yⁿ have forfeited our lease. He sayth my brother would sell it to Mr. Portington, and I am confident they never see one another, nor never exchanged letter; and when he built ye barne which he tells of, he had some wood allowed, and as we are informed (for it was before our time) he felled all ye wood y^t was upon ye ground, even such as was not any ways useful for building. This we can prove. He chargeth me most unjustly that I p^romised him he should have it att ye old rent; indeede, we asked him more rent yⁿ we could lett it to another, on purpose to gett shutt of such a knave. He hath land of his owne in ye towne, and if he continue any while upon it he will so order y^r businesse, y^t his owne land and ye schoole's will be soe mixt y^t ye school will be in danger to lose some of theyres. He is noe tenant to ye schoole but only to us, nor hath any tenant right there as we have, though in Mr. Jackson's time he appeared for him against ye Governors; and in ye rentall gott our names scraped out and his own put instead of ours, as if he had been ye schole tenant and not me. He dayly setts us att defiance, and gives us most base language sealed with bloody oathes; for I am verily persuaded a more prophane and wretched swearer lives not upon ye earth, as all men will say y^t knows him. He hath made us all this mischief, and put us to all these unnecessary charges. Now, I beseech you, sir, and ye rest of the Governors, to consider whether this be a fitt tenant ayther for ye schoole or as you know my sister agreed with you and ye fine and charges hath cost her above 30*l*., and he keepes her right from her, and will pay noe rent; my brother W. Wormsley was att great charges in comeing to Sedbergh, being thither invited to renew his lease, but could doe nothing onely wasted his time and spent his moneys; and he and myself was att a chargeable suite all ye assizes (as your selfe knows) with Mr. Portington in defence of ye schoole's rights, which cost us att ye least out of our purses 12*l*., besides ye ccsts we had given by ye jury. And shall a prateing deceitful knave be heard before those who have suffered soe much in maintaining your and ye schoole's interest. And, as for my lease, you

know it was granted to me without my seeking ; you was pleased att Mr. Burnett's to lett your sonn take my name, and Mr. Mayor, your son-in-law, was by ; and you sayd you would do it for me for my paynes taken in visitting you when you was sick, and you further sayd, yt you knew your fellows would not deny you in yt being falen sick in your iourney to London, having beene about ye schoole's businesse ; and you know I paid 6*l.* 10*s.* 4*d.*, ye usuall fine ; and I gave a gratuity to Mr. Burrill (by your directions) for takeing paynes about ye sealing of ye lease ; and he had of me 10*s.* besides, which he sayd he had given to ye clerk for drawing ye lease, and you had my moneyes when ye schoole was in necessity, having had a chargeable suite with Mr. Jackson ; and it hath been out of my hands 7 years, ye use of which would have amounted to 3*l.* And now this iourney of my brother will bring my charges yt I have been att to a valuable sum ; and I am informed yt there is an Act of Parliament, since ye King was restored, for ye confirmation of leases of schooles and colledge lands which have been let since those troublesome times. I have had as yet noe benefitt, not one farthing for laying out my moneyes these 7 years. Foster hath had ye farme att ye old rent. Sir, I earnestly beg yt ye feoffees will not take my moneyes and looke to deprive me of my right. If they have done more yn they can justify where lyes ye blame ? Upon you or me ? Ye act on their part was voluntary, and truly all men yt heard of it, wonders at ye businesse. I hope I have to deal with honest men ; however, I shall stand to my lease, and onely be content with what ye law gives me. I have ye maior pte. of ye feoffee's hands and ye schoole master's confirmation of it. I hope honest men will not goe agst. theyre owne hands, and theyre owne volutary act and deede. I desyre no controversy, but a fayre end of the businesse, and shall willingly pay ye rent behinde, and as it shall become due, if it will be received, and shall be ready to serve ye schoole in anything I can. We have beene tenants above 100 years, and Foster's father was only a servant to Mr. Grant, and put into ye house by him ; and now his sonn seeks to deprive us of it, and hath all Mr. Jackson's time gone about to defraud us of it. I ques-

tion not but ye feoffees will take these things into consideration and deal uprightly ; and I hope I shall not fare ye worse att theyre hands for my respects and services unto you in your weaknesse. Sir, I beseech you, let my brother finde your friendship in my behalf, though I be absent, and not able to stir abroad as yet. I desyre a right understanding between us ; and yt clamorous fellows who only seeks theyre owne ends, may not be encouraged to doe wrong unto others. The Lord direct you all, my respects to your son.

“I am, Sir, your obliged friend and servant,

“Armthorp.

“BER. HOLMES.

“Directed these for my worthy esteemed friend Mr. John Cowper, one of the feoffees of ye Schoole of Sedberghe, in or nere Sedberghe. Inclosed letter from Mr. Bernard Holmes, of Armthorp, in the year 1663, whose ancestors had been schoole tennents about 100 year.”

Here is Mr. Wormsley, brother-in-law to Mr. Holmes, mentioned.

The suit with Mr. Jackson seems to have lingered on for some years more, and at last (I do not know how long after his death) the governors paid to his widow, Elizabeth Jackson, the sum of 131*l.* as the arrears due to him, and received a release from her, dated Sept. 28th, 1675.

To return to the history of the school at the date of Mr. Jackson's ejectment.

Of his successor, Mr. James Buchanan, who was appointed in April, 1657, by the commissioners and the college, I find but few notices. On the 29th of June, 1658, he married Emma Burton, and the baptism of his daughter, Rachell, is entered in the Church Register, in 1659 ; also her death in the same year. The baptism of his son, George, is recorded March 25th, 1660. In the same year Mr. Buchanan received a fine of 20*l.* for the renewal of a lease in Fishlake, and in 1662, he received of John Otway, Esq., the sum of 4*l.*, being (in full) of the 20*l.*, granted him for repairs. This last payment was probably after he left Sedbergh. He is mentioned in rather a doubtful manner in the following letter :—

“January 18th, 1662.

“Mr. Cowper concerning the schoole rents due at Martinmas, —60, and Pentecost, —61, I was, by severall lettres both from Mr. Buchanan, your late schoolmaster, and his father, then ympowered to collect for his use the rents due as aforesaid. And the most of the schoole rents, as aforesaid, I collected (not knowing but that hee was in place) and accordingly have paid to young Buchanan; and I have an acquit from him for the receipt of them under his owne hand. I shall at any tyme be readie upon demand to give an account to you or to Mr. Fell what rents I then received, and of whome. But, good sir, if I have been once deluded by a schoolmaster, belonging to your schoole, I trust I maie be soe no more. But that you and the rest of the feoffees maie alwaies hereafter make choice of such deserving maisters as their words, especially their writings, maie stand good. Fourtie years since I received schoole rents for Mr. Nelson many yeares together, but was never questioned for my doings. I have always beene still constant for the schoole p’fitts. And if I bee now incumbered for my pains I shall suddenly surcease, and meddle noe more for anie to come. But be readie to render an account what he hath already don, who is, sirs,

“Your friend and servant, FRAN. BARKER.”

It seems from this letter that Mr. Buchanan must have left before Martinmas, 1660, otherwise surely the rents up to that time would have been due to him; but I have not found the exact date of his leaving, nor any account of it. It seems strange that the tenants should not have been informed of his departure; but, perhaps, the country might be still unsettled, and travelling difficult. The manner in which letters were sent in those days may be seen from the following endorsement to a letter sent from Stainforth, November, 1662:—

“For his honoured and good friend, Mr. Edmund Warde, att Sedbergh, these present, with speed and care. Leave these with Mr. Claire, att Bridgefoot, in Doncaster, and att the signe of the Talbot there to bee carefully conveyed, and with as much speed as maie conveniently bee, as above.”

Mr. Buchanan was succeeded by Mr. Edward Fell, M.A. The first mention of him occurs in a power of attorney, granted to him as master of the school (September 10th, 1662); and to Edmund Ward, of Sedbergh, gentleman; John Cowper, of Sedbergh, gentleman; and Edward Fawcett, of Sedbergh, yeoman, to grant leases, gather rents, &c. And another was granted March 6th, 1663, to Mr. Fell, and Richard Robson, and Edward Fawcett, governors, to collect rents, fell trees, &c., on any of the estates, by Jo. Otway, Jo. Mayor, Leo. Burton (the vicar), Jo. Cowper, John Bland, James Waidson, Henry Washington, Jo. Cowper, junior, Richard Holme, James Hebblethwaite. It will be seen by this list that the governors had by this time been able to complete their number again, which in Mr. Jackson's time they had been unable to do. There were no remarkable events, so far as I know, during Mr. Fell's tenure of office; only the usual difficulties with the distant tenants, two of whom, Mr. Perkins, of Fishlake, and Mr. Holmes, said they would not travel to Sedbergh in November, 1662, to have their leases renewed, if the governors would "give them their farmes." Mr. Sandwith, another tenant, declined also to take the journey, being unfit either to walk or ride, from ill health. Mr. Brooke, of Ashwith, and Mr. Watkinson, of Ilkley, sent their half-yearly rents in December, 1662, with an apology for having delayed in consequence of the "great storme and uncertaintie of the way, whether passable or not." About this time the following entry is made in the school records:—

"October 1st, 1669.—It was this present day ordered by the governors of the Free Grammar Schoole of King Edward the 6th, in Sedbergh, atte a solemne meeting there, by their unanimous consent, that noe schollers for the future shall have any certificate from the sd governors or schoolmasters for the tyme being, whereby to qualifye him or make him capable of any privelidge benefit or advantage as scholler of the sd schoole, unless he shall be instructed in the sd schoole, and resident there two compleat years or upwards. — EDWARD FELL, (p'sent schoolmaster), JOHN OTWAY, JOHN MAYER, LEO. BURTON, JOHN COWPER, JO. COWPER, junr., RICHARD (HOBSON?) JAMES

HEBBLETHWAITE, EDWARD FAWCETT, JAMES WAIDSON, HENRY GUY."

Mr. Fell married Ann Bland, July 15th, 1669, and his daughter, Elizabeth, was baptized August 3rd, 1671; another daughter, Emma, in August, 1673. His son, Richard, died March 10th, 1669, and he himself October 25th, 1674. By his will (in which he is described as of Castley, in Sedbergh,) he left to the governors of the school 5*l*, the interest to be spent in the purchase of a dictionary for the use of the school. The will is dated Oct. 7th, 1674. The governors sent notice of Mr. Fell's death to the college, who thereupon proceeded to elect one Mr. Cox, who never took possession of the place, but delivered up his presentation to the college within the month. Six weeks afterwards, the college, not having appointed any master, the governors took the advice of two eminent lawyers, Sir Thomas Stringer and Mr. Hill Rawlinson, who gave their opinion thus: "If the colledge doe not elect a person who accepts of the place within a month, the governors may nominate and elect, for otherwise the place might never be supplied." The governors then considered that the right to nominate the master "was devolved on them by Providence," and they proceeded, by the following instrument, to appoint Mr. Posthumus Wharton:—

"Let it be known to all to whom this present writing shall come, that we, the governors of the possessions, revenues, and goods of the Free Grammar Schoole of King Edward VI. of Sedbergh, in the county of York, have elected and nominated our beloved P. Wharton, M.A., and member of the Colledge of St. John the Evangelist, Cambridge, to the mastership (or presidency) of our aforesaid schoole, now vacant by the death of Edward Fell, the last incumbent there; and coming and falling to our election and nomination by the lapse of time. for this turn. And the same P. Wharton we make, ordain, and constitute through these presents master, head, or pedagogue of our foresaid schoole, in testimony of which thing we have caused our common seal to be affixed to these presents, on the 4th day of December, A.D., 1674, and in the 26th year of the reign of his most gracious Majesty King Charles the 2nd."

The following is the bishop's license :—" John, by permission of God, Bishop of Chester, to our beloved in Christ P. Wharton, master of arts, health to exercise his duty and office of school-master and teacher of religion in the Free Grammar School of Sedbergh, in the county of York, and diocese of Chester, and to interpret publicly any good authors of the laws and approved by the statutes of this realm of England, in the Latin or the vulgar tongue, to do, to forward, and to exercise the other things which refer and relate to the duty and office of a school-master, or are supposed to refer or relate (all those things being first subscribed and sworn by you which are to be subscribed and sworn by law in this matter), we give to you in the Lord licence and faculty by these presents."

Dr. Whitaker says Mr. Wharton took his degree of A.M. in 1674, and belonged to the ducal family of Wharton.

CHAPTER IX.

ON the 4th of May, 1676, Mr. Wharton married Barbara Corney. She was the mother of five children, Lancelott, Willyam, Elizabeth, Tobias, and John ; and died the same day the last was born, September 30th, 1681. I have not found the date of his second marriage to Mary, the daughter of Sir John Otway, but it appears that she was buried on the 8th of September, 1690, the day after the baptism (or birth) of her daughters, Mary and Margaret. There is a brass tablet to her memory on the floor of the chancel in Sedbergh Church, with an inscription in Latin, of which the following is a translation (she died at Thorns) : —

A man abroad, a matron in thy home,
 A true Pandora, not by bards invented,
 But by the true God's providence made come.
 Each sex at once the palm to thee presented,
 And gifts which other women, howe'er blest,
 Have but in part united in thy breast.
 Ah ! how I wish the Fates had granted me
 To lie now in thy place, but I believe
 That this was best, and God was pleased with thee.
 But when my eyes are closed by the last day
 That comes to me, O heir, I bid thee pile
 This dust o'er me, when solemnly they lay
 My corpse to rest beneath this self-same aisle.

The Latin is as follows : —

Mas foris et Matrona domi, non ficta Poetis
 Pandora, at veri numine facta Dei.
 Sexus uterque dedit palmam tibi, quæque beatas
 Dant divisa alias juncta fuere tibi.
 Quam vellem supplesse vices si fata tulissent,
 Credo Mage ast jure et te placuisse Deo,
 Sed mihi summa dies cum lumina clausurit, Hæres,
 Hac ipsa jubeo ut conglomerarer humo.

On the 7th of June, 1696, Mr. Wharton married Mrs. Margaret Cowper, of this parish, by license. She was the daughter

of Mr. Cowper, of Pedgecroft, at which house she died, March 24th, 1736, having survived her husband twenty-two years. It does not appear that she had any children. Mr. Wharton was master of the school, as his monument states, for more than thirty years, and must have retired from his office about the year 1705, in which year the school had 122 scholars, of whom only twenty-three were born in the parish. The following is a list of their names : —

| | | |
|---------------------|--------------------|---------------------|
| Park, 1 mus. | Powley | Browell |
| Gale | Crosby | Vincent |
| Upton, 1 mus. | Inman | Yarburgh, 3 trus. |
| Parker, 1 mus. | Peacock | Braithwaite, 1 mus. |
| Braddyll, 1 mus. | Dodson | Blacket |
| Hornby | Armistead | Sawrey |
| Yarburgh, 1 mus. | Park, 2 dus. | Emerson |
| Yarburgh, 2 dus. | Dickinson, 1 mus. | Stanley, 2 dus. |
| Maxwell | Currer, 1 mus. | Jackson |
| Ouston | Gosling, 1 mus. | Toll, 2 dus. |
| Ward, 1 mus. | Fothergill, 2 dus. | Dawes, 2 dus. |
| Green | Braddyll, 2 dus. | Gathorn |
| Bowick | Smales | Clayton |
| Armistead, 1 mus. | Rigby, 1 mus. | Whitfield |
| Atkinson, 1 mus. | Lowdon | Close |
| Stainton | Wilson, 2 dus. | Christian |
| Atkinson, 2 dus. | Whinfield | Sanderson |
| Hartley | Ward, 2 dus. | Thornton |
| Wilson, 1 mus. | Bland, 3 trus. | Budsay |
| Hall | Dawson | Wentell |
| Askew, 1 mus. | Crookholme | Cragg |
| Askew, 2 dus. | Man | Phillipson |
| Rishton | Coleby | Braithwaite, 2 dus. |
| Dickinson, 2 dus. | Stanley, 1 mus. | Walker |
| Whittingham, 2 dus. | Coulton | Pallison |
| Rigby, 2 dus. | Carter | Bindloss |
| Collinson | Edwards | Croft |
| Fothergill, 1 mus. | Satterthwaite | Parker, 2 dus. |
| Strickland | Fowthian | Whelpdale, 1 mus. |
| Potter | Nelson | Wallbank, 1 mus. |
| Cautley | Brittan | Critoft |
| Wharton, 1 mus. | Upton, 2 dus. | Currer, 2 dus. |
| Holdsworth | Lickbarrow | Addison |
| Laythes | Farrer | Walton |
| Longmire | Banks | Cockell |
| Bland, 1 mus. | Todd | Bland, 2 dus. |

| | | |
|------------------|---------------------|-----------------|
| Braddyll, 3tius. | Ary. | Wykliffe |
| Scott | Whittingham, 1 mus. | Poast, 1 mus. |
| Weslyd | Wharton, 2 dus. | Poast, 2 dus. |
| Wallbank, 2 dus. | Whelpdale | Gosling, 2 dus. |
| Toll, 1 mus. | Dawes, 1 mus. | |

In all 122, of which born in ye parish twenty-three.

"The rents at this time were gradually increasing. In 1669 the rents from Bramwith amounted to 4*l.* 10*s.*, in 1691 to 5*l.* 8*s.* 10*d.*, and in 1693 to 6*l.* 9*s.* 1*d.* These were "sent to be left att Tho. Masslebook's, in Doncaster, to be given to Mr. Bateman, and he to carry it to Mr. Posthumous Wharton, to Sedbergh."

The following table shows the rents of all the farms. Rents advanced in Mr. Wharton's time : —

| Feby. 21, 1681. | £ s. d. | 1785. | £ s. d. |
|---|------------|---------------------|------------|
| John Waterhouse farme at Shelfe, formerly | ... 1 13 4 | Now J. Walton's, at | ... 5 5 0 |
| Advanced to... | ... 5 0 0 | Fine | ... 36 0 0 |
| Fine | ... 16 0 0 | | |

| | | | |
|--|------------|------|------------|
| Abraham Hodgson, advanced the rent of Sharpow Close att Halifax from | ... 1 0 0 | Now | ... 2 0 0 |
| To | ... 1 10 0 | Fine | ... 90 0 0 |
| Fine | ... 15 0 0 | | |

| | | | |
|--|------------|--------------|--|
| Mr Lawson advanced the three farmes at Ilkley (late Joseph Watkinson's) from | ... 1 8 8 | Now Bolling. | |
| To | ... 8 0 0 | | |
| Fine | ... 20 0 0 | | |

| | | | |
|--|------------|---------------|------------|
| Mr. Barker advanced a farme, at Ilkley, late in the possession of William Squire, from | ... 0 10 4 | Now Harrison. | |
| To | ... 2 10 0 | | |
| Fine | ... 10 0 0 | Fine | ... 50 0 0 |

£ s. d.

£ s. d.

Mr. Fountaine advanced a
farme, at Ilkley, late in
the possession of Henry
Curre, and sometime of
Cowgill, from the yearly

| | | | | | | | | | |
|---------|-----|-----|----|----|---|------------------|-----|----|-----|
| rent of | ... | ... | 0 | 13 | 4 | Now John Brogden | | | |
| To | ... | ... | 4 | 15 | 0 | Fine | ... | 70 | 0 0 |
| Fine | ... | ... | 25 | 0 | 0 | | | | |

John Mawson and Ann
Sheffield advanced a
farme, at Ilkley, late in
the possession of William
and Ann Sheffield, from

| | | | | | | | | | |
|------|-----|-----|----|----|---|-----------------|-----|----|-----|
| | | | 0 | 11 | 8 | Now Lofthouses. | | | |
| To | ... | ... | 3 | 10 | 0 | Rent | ... | 4 | 6 0 |
| Fine | ... | ... | 25 | 0 | 0 | Fine | ... | 80 | 0 0 |

Mr. Samuel Swaine ad-
vanced a farme, at Ilkley,
late in the possession of
Nicholas Stead, and for-
merly in the possession
of one Squire, from the
yearly rent of

| | | | | | | | | | |
|------|-----|-----|----|----|---|---------------------|-----|----|-----|
| | ... | ... | 0 | 19 | 8 | Now Robt. Brogdens. | | | |
| To | ... | ... | 6 | 0 | 0 | Rent | ... | 6 | 0 0 |
| Fine | ... | ... | 33 | 0 | 0 | Fine | ... | 80 | 0 0 |

Widow Sandwith advanced
the rent of her farme from

| | | | | | | | | | |
|------|-----|-----|----|---|---|--------------|-----|----|-----|
| | | | 1 | 3 | 4 | Now Lilly's. | | | |
| To | ... | ... | 4 | 0 | 0 | Rent | ... | 5 | 0 0 |
| Fine | ... | ... | 20 | 0 | 0 | Fine | ... | 90 | 0 0 |

One rood of ground lying
in Bentley Ing is now
in farme to Sir George
Cooke for 5s., haveing
not of late yielded any
p'fit to the schoole.

Wm. Nicholson advanced
the rent of the tithes of

| | | | | | | | | | |
|--------|-----|-----|----|----|---|--|--|--|--|
| Weston | ... | ... | 8 | 10 | 0 | | | | |
| To | ... | ... | 12 | 0 | 0 | | | | |
| Fine | ... | ... | 13 | 6 | 8 | | | | |

Rent and Fynes of Leases granted by the Governors, September 28th, 1702.

| | Rent. | | | Fynes. | | |
|--|-------|----|----|--------|----|----|
| | £ | s. | d. | £ | s. | d. |
| Mr. Lister, of Halifax, paid the rent of | 1 | 10 | 0 | 20 | 0 | 0 |
| Mr. Cleworth... | 4 | 5 | 0 | 30 | 0 | 0 |
| Mr. Barker ... | 2 | 15 | 0 | 25 | 0 | 0 |
| Mr. John Mawson ... | 3 | 15 | 0 | 40 | 4 | 6 |
| John Brogden ... | 4 | 15 | 0 | 29 | 0 | 0 |
| Mr. Roger Coates ... | 6 | 0 | 0 | 46 | 0 | 0 |

An Account of the Yearly Rent and Fynes due and payable at the last renewing, July 20th, 1706.

| | Rent. | | | Fynes. | | |
|---|-------|----|----|------------------|----|----|
| | £ | s. | d. | £ | s. | d. |
| Mr. Thomas Currer, of Lofthouse ... | 8 | 0 | 0 | 0 | 0 | 0 |
| William Burton, for Jenny Bland ... | 4 | 0 | 0 | 0 | 0 | 0 |
| John Taylor, for Deepmyre ... | 7 | 0 | 0 | 7 | 10 | 0 |
| Mr. Thomas Barker, for lands at Ilkley | 2 | 15 | 0 | 25 | 0 | 0 |
| Edward Bolling, do. ... | 9 | 0 | 0 | 100 | 0 | 0 |
| Mr. Roger Coates, do. ... | 6 | 0 | 0 | 46 | 0 | 0 |
| Mr. Thos. Cleworth, for lands at Stanforth... | 4 | 5 | 0 | 35 | 0 | 0 |
| Mr. John Mawson, for lands at Ilkley . | 3 | 15 | 0 | 40 | 4 | 6 |
| Thomas Stephenson, for lands at Thorn | 1 | 0 | 0 | 10 | 0 | 0 |
| The Governors of Halifax School | 1 | 10 | 0 | 22 | 3 | 0 |
| John Brogden, for two farmes | 5 | 7 | 0 | 29 | 0 | 0 |
| Dr. Nicholson, for lands at Barnby Dunn | 6 | 0 | 0 | 40 | 0 | 0 |
| John Medley, for lands at Shelf | 5 | 0 | 0 | 12 | 15 | 0 |
| Thomas, Lord Fairfax, for Askwith tithes | 22 | 0 | 0 | 40 | 0 | 0 |
| Wm. Vavasour, for Weston tithes | 12 | 0 | 0 | 20 | 0 | 0 |
| Some few rents att Doncaster | 3 | 0 | 0 | 0 | 0 | 0 |
| Widow Turner, rent | 0 | 13 | 4 | 0 | 0 | 0 |
| Sir George Cooke | 0 | 5 | 0 | not yet renewed. | | |

The whole yearly rent ... £101 12 4 £437 2 6

JOHN BRACKAN, Clerk.

Out of this small income Mr. Wharton had to pay his usher, and there were in his time, also, two expensive lawsuits besides the smaller one, of which I find the following notice, dated August the 9th, 1699:—"N.B. Whereas, Mr. Thomas Lee, of Hatfield, has cutt down and sold to ye value of 8*l.*, timber in ye lands of his school farm called St. Mary Croft, in ye pⁱsh of Thorn, and has upon discovery and prosecution for ye same

refunded ye said 8*l*. into ye hands of Mr. Wharton, the present schoolemaster, ye present governors of ye said school, both for the encouragement of ye said Mr. Wharton as in regard ye said Mr. Wharton has lately been as much moneys out of his pocket in a late prosecution att Bramwith, ye present governors doe unanimously and freely present Mr. Wharton with ye said sum of 8*l*. as aforesaid. — CHARLES OTWAY, JONATHAN ROSE, HENRY WASHINGTON, JAMES BLAND, LANCELOT DAWES, JAMES MACKERETH, CHRISTO. CORNEY, JOHN FAWCETT, CHRISTO. GAWTHROPP, WILLIAM CORNEY, JOHN WARD, HENRY HOLME." The governors had in their hands at this time various sums of money for the poor of Sedbergh, and for poor scholers, which they lent out at an interest of about five per cent. There was also the money for the Dictionary, which was laid out in the following manner :—

"February 6th, 1679. — Received of Edward Fawcett, one of the governors, the summe of one pound four shillings, being four years interest for a legacy of 5*l*., which Mr. Fell, late schoolmaster, left by his last will for a continual supply of a Dictionary for the publike use of the schollres. I say, received by me, POSTHU. WHARTON."

| | £ | s. | d. |
|--|-----|----|------|
| April 16th, 1680. — Laid out of the former sum for | | | |
| a Dictionary | ... | 0 | 12 0 |
| Carriage | ... | 0 | 0 2 |
| Year's interest of 5 <i>l</i> . lent upon bond ... | ... | 0 | 6 0 |
| February 10th, 1683. — Littleton's Dictionary | ... | 0 | 14 0 |
| Carrying | ... | 0 | 0 2 |
| March, 1635. ... Littleton's Dictionary ... | ... | 0 | 14 0 |
| Dec. 1688. — Binding two books belong'ng to the | | | |
| school | ... | 0 | 2 6 |
| September, 1689. — Dictionary ... | ... | 0 | 15 6 |
| February, 1692. — Littleton's Dictionary ... | ... | 0 | 14 0 |
| August, 1693. — Littleton's Dictionary ... | ... | 0 | 13 0 |
| November 4th, 1700. — Cambridge Dictionary | ... | 0 | 17 0 |
| September 3rd, 1703. — Cambridge Dictionary | ... | 0 | 19 0 |
| September 24th, 1705. — Littleton's Dictionary | ... | 0 | 16 0 |
| May 3rd, 1709. — Littleton's Dictionary ... | ... | 0 | 18 0 |
| August 12th, 1717. — Dictionary ... | ... | 0 | 19 0 |
| September 17th, 1720. — Dictionary ... | ... | 0 | 19 0 |

In 1707 the school library contained 62 classical works. The sum left for the maintenance of poor scholars at St. John's College seems to have brought in 7*l.* 19*s.* 6*d.* yearly. It is small, but it seems to have been a matter of some consequence in those days. On April 13th, 1700, the governors had a discussion on the subject, as follows:—"22*l.* due to poor schollars last Candlemas (none parish born being then at Cambridge, but William ye son of Christopher Croft) tis this day voted by the governors whether ye said Wm. Croft shall have the said moneys or not. Against him, James Bland, Christ. Corney, Lancelot Dawes, John Warde, Henry Holme, Christopher Gawthropp, Wm. Corney. Mem. That Christopher Croft, ye father of William Croft, besides a paternal estate in land, had left him by an uncle's will the sum of 1,000*l.* or 1,200*l.* And, therefore, the said governors, aiming at nothing but a conscientious discharge of their trust, voted against him, as noe proper object of ye charity.

"The day and year above written it was voted by ye governors yt ye sum abovesaid is divided as underwritt, viz., 26*l.* to Marmaduke Holme, son of John Holme, of Settlebeck, parish born, and the remainder to John, son of Robert Bainbridge. Signed as above.

"Mem.—That John Holme, the father of Marmaduke Holme, being a poor man, and not able to answer his son's earnest desire of being educated some small time at Cambridge, made his humble address to the governors that they would please to apply ye gift of charity (whereof they have the disposal) to the maintenance of his son at St. John's College. Wherefore, ye said governors, looking upon him as a fit object of the charity, and themselves obliged by their trust to gratifie his request, did by their votes grant him the summe here mentioned."

In 1705 the yearly interest was divided thus:—

| | £ | s. | d. |
|--|-----|----|------|
| To Mr. John Scaife... | ... | 5 | 0 0 |
| To Mr. James Railton | ... | 2 | 10 0 |
| To Thos. Walton, Richd. Walton's son, to buy him books | 0 | 9 | 6 |

But in general it was paid to some one person. August 18th, 1703, we find the governors legislating for the school :—

“Whereas, by the great flourishing and encrease of the school, and the expectation and custom of the scholar’s relations of having a play-day at each entrance, and at other occasional vigils, the master is rendered very uneasy in the faithful discharge of his duty. The governors taking the same into consideration, do make an order that no play-days shall be granted for the future exceeding one afternoon in a fortnight’s time. — CHARLES OTWAY, JONATHAN ROSE, JAMES BLAND, LANCELOT DAWES, HENRY HOLME, SIMON WASHINGTON, WILLIAM CORNEY, JOHN WARDE, JOHN FAWCETT.”

CHAPTER X.

THE first of the great suits, begun in Mr. Wharton's time, related to the lordship of the manor of Bramwith Woodhouse, of which the governors of the school stated that they and their predecessors had been seized since King Edward the Sixth's foundation. The complainants were Sir John Otway, knight, Jonathan Rose, clerk (the vicar of Sedbergh), John Cowper, esquire, Edward Fawcett, James Rycroft, John Robinson, James Bland, James Mackereth, Christopher Corney, Henry Washington, and John Atkinson, gentlemen. They informed George, Lord Jeffrey, Baron of Wenmore, Lord High Chancellor of England, of the circumstances of their possession of the said manor, with its rights, members, royalties, and appurtenances, and stated that the several and respective tenants of the manor had paid and performed to them and their predecessors suit and service "all along, time out of mind, whereof the memory of man is not to the contrary (till now of late). But," the complainants continue, "the said manor being neare a hundred miles distant from the said Free Grammar Schoole, and from the place of residence of ye sd orators, and their predecessors, governors thereof, all the rentales, surveys, terriers, extracts, court rolls, court bookes, and counterpartts of leases belonging to the said mannor, were usually kept within the same, and intrusted with the stewards or bayliffs thereof. By which means the same or a great part thereof were in the late tymes of trouble and warr lost or mislaid. Soe that ye sd orators cannot tell how to come by or have the same or true coppyes thereof, albeit as ye sd orators have been informed that severall counterpartts of leases, rentalls, surveys, terriers, extracts, and court rolls, belonging to the said mannor, were lately remayning with John Newton, gent., some time steward thereof, and that the same or some of them are, since the said Newton's death, by some casuall or indirect means, come into the hands, custody,

and possession of Sir Thomas Hodgson, Knight, (who is now lately by purchase become a tenant of the said mannor), or to the hands, custody, and possession of some other person or persons to his use and by his privity, consent, or knowledge. By reason of which said counterpartts of leases, rentalls, surveys, extracts, terriers, and court rolls, soe in his custody, or in the custody of some other by his privity, or by some other ways he does now withdraw his suit and service from the court of the said mannor, and totally refuses to pay to yr said orators the annual or yearly rent of 13s. 4d., which has yearly and every year been paid to yr orators and their predecessors by his the said Sir Thomas Hodgson's predecessors, owners of the capitall messuage, lands, tenements, and premises, with their members and appurtenances, within Bramwith Woodhouse, aforesaid, which he, the s^d Sir Thomas Hodgson, now enjoys, and which he has lately purchased of George Raizin, of Doncaster, gent." The governors further state that they had informed Sir Thomas Hodgson, before he purchased the land in Bramwith Woodhouse, of this charge upon it, but as, for want of the necessary papers they could not tell whether it was a "rent, sock rent, service rent, charge or farme rent, or what rent, and out of what particular land the same ought to be issuing or goeing forth, they being so great strangers and liveing so remote," he for ten years before their complaint had refused to pay his annual 13s. 4d., or to do any other service.

The governors also accused Sir Thomas Hodgson of having made a strict confederacy with some persons unknown to them (whose names, when discovered, they prayed might be inserted in the bill of complaint), but what his confederates had done does not appear. It is asserted, however, that his and their doings were contrary to all right, equity, and good conscience; and therefore as the governors could have no redress from the common law for want of their deeds, and because their witnesses "are now very aged and impotent, and not likely to live long, and doe inhabit and dwell in forraigne countrys, and are not able to travell to the Castle of Yorke where actions at the common law for this matter must be tryed," they appealed to the Lord Chancellor.

Sir Thomas Hodgson, in his reply, did not deny that the governors were lords of the manor of Bramwith Woodhouse, or that rent and services were due to them, and had been paid. But he declared that he knew nothing of the lost papers, nor did he know or believe that he was a tenant of the said manor, or that he owed, or ought to have paid any suit or service to the court of the said manor. He was seized, as he said, of the manor of Barnby Grange, in Bramwith, All Souls, Bramwith, etc., which he had bought in July, 1677, of Geo. Raizin, gent., but did not know or believe that he had property in Bramwith Woodhouse, or that he or any of his predecessors had ever paid the 13s. 4d. in question, which he believed to have been paid by the tenants of other lands belonging to George Raizin.

How the suit ended, or how much it cost, I have not been able to discover, but the governors carried it on after the death of Sir Thomas Hodgson, whose will, made some short time before his death, was dated April, 1693, the same year in which died the distinguished governor, Sir John Otway. This gentleman's name last appears in the school papers as a tenant of Under Winder Banks, for which he paid a rent of 7*l*.

In the year 1702, Mr. Wharton and the governors were engaged in a very important suit relating to some of their land at Ilkley. The governors at this time were Jonathan Rose, clerk (vicar of Sedbergh), Lancelot Dawes, James Bland, Christopher Corney, William Corney, John Ward, John Faucett, Henry Holmes, Christopher Gawthropp, James Ridding, Simon Washington, and Dr. Charles Otway. The usher at this time was Simon Atkinson. The complainant in the suit was Wilfrid Lawson, who had married Mary, one of the two daughters and co-heirs of Joseph Watkinson, a former tenant of three farms at Ilkley, belonging to the school. Wilfrid Lawson said in his complaint that his wife and her ancestors had held the said farm for many years of the Crown, paying a rent of 1*l*. 8s. 8*d*., while the governors, in a very full and particular statement, affirmed that the three farms were "heretofore parcel of and belonging to the late charity of St. Nicholas in Ilkley, which had been part of the endowment of King Edward the VIth. They had counterparts of leases in their possession which showed

that these farms had been let, in the 31st year of Queen Elizabeth, to one Richard Gibson, a tanner for the term of 22 years, and in the 3rd year of King Charles the 1st, to Joseph Watkinson, for 21 years; and in the 13th year of King Charles the 2d, to the same Joseph Watkinson, for the same term of years, at the rent of 1*l.* 8*s.* 8*d.* for the three farms. They had no means, as they said, of knowing what fines were paid for granting the said leases; but they did conceive that if the fines were not very large the governors who granted the leases were, by "the remoteness of the said premises from the town and parish of Sedbergh, ignorant of the intrinsic value of the farms; therefore, or otherwise, were, by accepting or leasing at such a small rent as 1*l.* 8*s.* 8*d.* yearly, guilty of great breach of trust and mismanagement of that branch of the revenues of the said school, by reason that it is of a very considerable yearly value." In spite of the smallness of the rent, the said Joseph Watkinson had declined to pay it, claiming the lands as his own, so that the governors had brought an action against him at York in the year 1659, and had proved the land to be theirs; and after judgment being given in their favour they say they know not how the said Joseph Watkinson did or could esteem the premises in the bill named as his own. "But they conceive," they said, "that as well he was (as the now complainants, and every one of them now are) far out of the way if they or any of them (especially after so long and easy enjoyment of the premises in the bill named) could or can, or do think that the inheritance of the said governors was his or theirs, or any of their own."

Mr. Lawson also stated that Mr. Watkinson had spent large sums of money in building upon and improving the farms. As to the building, the governors say that they believe it was done more than seventy years before, and not by Joseph Watkinson at all; and as to improving the land, they say they are not aware that it was "barren or moorish ground, or that the ancestors of the said Lawson's wife did by great industry and charge improve the same by tillage and manuring thereof;" but, if they did, they could well afford to do so as they had the land at so small a rent, and "as the improvements by tillage and manure do, usually by the immediate product of crops of corn

and melioration of the soil for many years after, compensate the charge and expense thereof, and that often with very great surplus of profit, especially if the succeeding prices of corn are not very low." Besides all this, the plaintiff, Lawson, had, in the year 1681 (his father-in-law being dead and the lease expired) made application to the governors for a renewal, which was granted on his paying a fine of 50*l.* and increasing his rent to 8*l.* a year, for twenty-one years.

The premises let consisted of one dwelling house and barn, with a tan house, and also all other buildings and edifices thereto belonging; and one croft containing one acre, called the East Close; one close called Golden Butts; one acre lying in the West Holme, which had been in the tenure of Richard Gibson; and nine other messuages and tenements which had been in the tenure of Christopher Snipe. The rent was paid at the Feasts of the Nativity of St. John the Baptist, and St. Andrew the Apostle. On these terms Lawson held the land peaceably for nearly twenty-one years, and his lease being nearly expired, he sent one Mr. Bolling, one of the complainants, to Sedbergh, and he and the governors being met together, he asked upon what terms they would renew the leases. The governors, having discovered that the farms in question were worth 34*l.* per annum or thereabouts or upwards, demanded the sum of 100*l.* for a fine or foreguit, and the sum of 10*l.* on the occasion, and a yearly rent of 10*l.*

At this meeting nothing was said of the claim subsequently made by Lawson to have the premises continued to him at the same rent and without a fine, according, as he said, to a promise made by the governors when they granted the former lease, (this promise the governors jointly and severally said they had no right to make, and never had made) and Mr. Bolling went back to acquaint Mr. Lawson with the proceedings, and shortly after wrote to Mr. Wharton, September 27, 1701, and in a postscript uses these words:—"Mr. Lawson and family presents you with all their humble services to you, and is in his old distemper of a cough, but will attend you in due time, and refers the whole matter to you all, being ready to serve you and to fall into your courtesies accordingly; but hopes yet of your

further favours at a further meeting." From this the governors supposed that Mr. Bolling had acquainted Mr. Lawson with their terms, and that he acquiesced in them, but time passed on, and they heard nothing further from him, and the leases being expired, they caused entry to be made into the premise in question, and declarations in ejectment were served. Lawson seems then to have brought actions against them to hinder their further proceedings, making various accusations (which the governors jointly and severally declared to be false), before the Master of the Rolls.

Amongst other things, he professed that the fine demanded or part of it, was demanded as a subscription to rebuild the school, which was not rebuilt; and to this the governors answered that, in truth, "some of the governors then seeing the fabric of the said school too small, and until they were since otherwise advised by counsel learned in the law, believing that the governors had power to apply part of the revenues of the said school to build it anew and larger, might, over and above the said 100*l.*, which should be paid as a fine or forguift, enlarge the last named fine or foreguift to rebuild the schoole, and purpose of applying the said 100*l.* was so moved and mentioned principally by the instigation and arguments of the deft Jonathan Rose, he alleging such new building to be very conducive to the benefit of the said school, or to that effect. But these defendants, the 11 governors being since satisfied that in regard the school is in good repair they have no authority or fund to build it anew, and therefore they have not since nor now do insist or intend to apply any part of the revenues of the said school that way." They go on to plead how necessary and right it was for them to make the most of the school revenues, in these words: "These defendants, the 11 governors, do severally answer and say, that the inhabitants of the said town and parish of Sedberg are of themselves very poor, and the said town is situate in the most naturally barren, bare, cold, remote, and north-western part of the county of York, lying amongst very high mountains; but that since the defendant, Posthumus Wharton, has been the master of the said school, his and the said defendants, the 11 governors, respective residence in the

said town and parish of Sedberg, the said Mr. Wharton hath discharged his office and duty in that behalf of schoolmaster with so great care, diligence, judgement, learning, and discretion, and demeaned himself so soberly, piously and with so much humanity and honesty in his dealings, conversation, and course of living that he has almost all along had a very full school, and of greater repute than any of the neighbouring schools in the said county, or in the adjacent or neighbouring counties of Lancashire, Westmorland, or Cumberland, the said school being furnished not only with boys born in the said town and parish and in the neighbourhood of Sedberg, but also with very many and great numbers of others sons of gentlemen of very good quality and estates, sent thither from several and remote countries and places within this realm, and by reason that the said school doth, and hath so flourished, the said town and parish are not only very much enriched by the benefit accruing by monies expended for the diet, apparell, and other expenses of several of the scholars and their friends, relations, and others repairing to the said town on their account, but also the boys of the said town and parish get a better and cheaper education, whereby the inhabitants of the said town and parish are and daily become more civilised, and of better lives and conversation, and many learned and useful persons both in church and state have gone out of the said school from the said Mr. Wharton into the Universities and other places within this realm, whereupon these defendants, reflecting on the said great and many benefits arising from the said school and Mr. Wharton, the present master thereof, have and do conceive themselves not only obliged hereby, but by the duty of their office of Governors to use all lawful, just, reasonable, and honest ways and means for improvement of the said school and of the revenues thereof, that they might be the better assured of the said Mr. Wharton continuing amongst them, whilst he should be able to discharge his duty, they conceiving that his departure or death would much prejudice the said school, and after that to induce men eminent in that profession to sue for or accept it; and therefore these defendants 'thought it their duty to get as large rents and fines as they could.'"

CHAPTER XI.

MR. Lawson endeavoured to prove that the governors had been illegally appointed, or had ceased to hold their office, in consequence of having left Sedbergh. He entered at length into the history of the foundation of the school, and the appointment of the governors, laying stress on the provision made in case any of the governors "for the tyme being should dye or departe this life, or to inhabite, or with his family to departe to another place out of the towne and parish of Sedbergh aforesaid, that then and soe often for ever it should and might be lawfull to the rest of the surviving governors there, with their families resident, or the greatest parte of them to electe and chuse another fitt person to serve as governor." Mr. Lawson also stated how that "in consideration of 1000*l.* of English money, paid by Roger Lupton, clerk, to the master, fellowes, and schollars of the colledge of St. John the Evangelist, in the University of Cambridge, commonly called St. John's colledge. It was agreed betwixt the said Roger Lupton and the master, fellowes, and schollars of the said colledge, among the other statutes which were ordained by the executors of the illustrious Princesse Margaret, Countess of Richmond and Derby, foundresse of the said colledge, they the said masters, fellowes, and schollars, should cause to be incorporated certain statutes and ordinances for the maintenance of two fellowes and 8 schollars in the said colledge, in all tyme to come ; besides, and over and above, the schollars by the said foundresse and other benefactors of the said colledge instituted, which said two fellowes and 8 schollars should be taught and goe instructed out of the said grammar schoole." "The corporation of the 12 governors," it was further stated, "hath continued in succession ever since, from the tyme of the said letters pattents, and att this present tyme one Jonathan Rose, Gentleman ; Charles Otway, Esqre ; James Bland, Gent ; Henry Holmes,

Gent; Lancelot Dawes, Gent; Christopher Corney, Gent; James Ridding, Gent; John Ward, Gent; William Corney, Gent; and Simon Washington, Gent; are or pretend themselves to be governors of the said free schoole, and one Posthumus Wharton in and for diverse years last past hath beene the master of the said free schoole of Sedbergh. And the said Posthumus Wharton having by the wayes and means hereafter mentioned acquired greate riches, he, the said Mr. Wharton, doth in effect govern and dispose the revenues of the said Schoole at his own pleasure; and he and the said Governors have beene guilty of greate mismanagement and misbehaviour in the said trust, and in particular whereas by the said letters pattents the said governors are appointed to be chosen out of the inhabitants of Sedbergh, and when it should happen that any one should dye, or not inhabit with his family in the said parish or towne of Sedbergh that then another should be chosen in his roome. The said governors or great parte of them, contrary to the said letters pattents, were either not inhabitants of the said towne and parish when they were chosen, or have departed with theyre familyes from the said towne and parish, and yett noe new governors were chosen in their place and roome,—and, in particular, the defendant, Charles Otway, Esqre., was not an inhabitant, or att least for a long tyme hath not been an inhabitant, in the said towne and parish; but, yett, being a relation of the said Posthumus Wharton, he hath, by the interest and influence of the said Mr. Wharton, with the rest of the governors, been chosen and continued a governor of the said schoole, contrary to the direction and intent of the royall founder of the said schoole. And whereas the said schoole was founded by his Majestye as a free grammar schoole for the inhabitants of the said towne and parish and in the neighbourhood thereof; and there was an ample revenue provided by his said Majestye for the support and maintenance of a schoole master and usher. The said P. Wharton contrary to his duty and the trust reposed in him hath exacted greate summes of money from the parents, relations, and friends of such boyes as he hath taught in the said free schoole, and hath refused to admitte or teach any in the

said schoole unlesse they pay him 20 shillings or a guinea at their entrance, which said summe he allways demanded, and the further summe of 40 shillings a yeare for every boye that he teaches in the said schoole; over and besides, he demands and exacts 20 shillings or such considerable summe for every boye he teaches in the said free schoole every Christmas, and not only soe, but at Shrove tide he demands and exacts from his said schollars a certain summe for what he calls a cock penny, all which summes the said P. Wharton receives, or if the same are refused or neglected to be paid he either refuses to teach the boyes of such parents or friends so refusing, or treats the said boyes with such markes of distinction that he compells compliance to all the said unwarrantable demands. And whereas there ought to be an under master or usher constantly kept in the said schoole, and the said governors ought to appoint maintenance for such usher, which said under master is to be appointed by the said letters pattents by the said master; he the said P. Wharton all or great parte of the tyme he has beene master of the said schoole hath not appointed any usher or under master att all for the said schoole, but to the end that he might save the charges thereof and convert the intire revenues and profitts of the said schoole to his own use, he, the said Mr. Wharton hath appointed one or more of the schollars in the upper formes in the said schoole to supplye the place of an usher and all or the greatest part of the younger boyes in the said schoole are taught by one or more of the rest of the boyes in the upper formes in the said schoole, and by means thereof he, the said Mr. Wharton, receives the intire rents, revenues and profitts of the said schoole to his owne use, and hath so great an influence over the said governors that they dare not contradict or withstand the said proceedings. And although the annuall Rents of the said premises, given by his said Majestye, King Edward the 6th, doe now amount to above 200*l.* per ann., and the profitts by entering pennyes, and cock pennyes as they are called, and other summes the said P. Wharton unwarrantably received from the schollars of the said schoole does yearly amount to above 200*l.* per ann.; more yett, the said P. Wharton doth make other unlawfull advantages by

the said Schoole, for whereas by the letters patents before sett forth there are to be two Fellowes and 8 Schollars to be received and maintained in St. John's Colledge — which said Fellowes and Schollars are to have a Certificate from the Master of Sedberghe Schoole that they have been taught and instructed in the said Schoole of Sedbergh as a necessary qualification to be admitted to the said Fellowships and Schollarships, and the said P. Wharton hath been guilty of a very grosse misbehaviour in granting such certificates, for the said P. Wharton doth demand 10*l.* or some such greate summe, as a fee or gratuity for the making or signing such certificates; and although divers tymes the p^rsons were duly qualified by having beene taught and educated in the said Free Schoole to be admitted to the said Fellowships and Schollarships in St. John's Colledge, and in justice, and according to his duty, the said P. Wharton ought to have granted such certificates, yett he either refused soe to doe or raised objections and cavills against the same until the said summe of 10*l.* or some considerable summe of money, was paid him for the said certificate; and, many tymes to elude the said charitable provision, the said P. Wharton hath received strangers into the said Free Schoole and hath caused them to continue there for a month, or some such small tyme, and for the summe of 10 guineas, or some such like summe of money, hath given certificates that the said boyes were taught and educated in the said Free Schoole, thereby to qualifie them to be received as Fellowes or Schollars in the said Colledge in Cambridge. Whereas, in truth, they were not taught and educated in the said Schoole according to the intent of the founder thereof, to the great discouragement of the Schollars of the said Schoole of Sedbergh, for whose benefitt and advantage the said Fellowships and Schollarships were intended."

Besides all this Mr. Wharton was accused of having demanded large fines from the school tenants on the renewal of their leases in the year 1681, in particular pretending "That the said schoole and buildings thereto belonging were very much out of repair, and that it was necessarye the same should be rebuilt." From the tenants and the parents and relations of the scholars, it was asserted, more than 1,000*l.* had been

obtained by Mr. Wharton on this pretext ; “ but when the said Posthumus Wharton had received the said money he converted the same to his owne use, and left the said schoole and buildings in the said conditions that they were.” This last accusation was founded on fact, for there is an account of small sums received by Mr. Wharton for the rebuilding of the school, 2*l.* ; 3*l.* received for granting a lease to Mr. Lister ; 5*l.* for another lease to Mr. Thomas Cleworth ; and 3*l.* 4*s.* 6*d.* given by Mr. Mawson towards the erecting of a new school, (returned according to promise because a school was not built). “ Mr. Lawson hereupon demanded that Mr. Wharton and the governors should be called upon to answer all these accusations before Sir Matthew Wright, Lord Keeper of the Greate Seale of England (June 30th, 1702).” I cannot find that any witnesses were called on either side, but the governors and Mr. Wharton gave a very long and distinct answer. Mr. Lawson seems to have had friends in Sedbergh who provided him with information, but I do not know who they were.

The joint and several answers of Jonathan Rose, clerk, James Bland, Lancelot Dawes, Christopher Corney, John Ward, John Fawcitt, Henry Holmes, Christopher Gawthropp, James Ridding, and Simon Washington, eleven of the twelve governors of the possessions, revenues, and goods of the Free Grammar School of King Edward the 6th, in Sedbergh, in the County of York ; and of Posthumus Wharton, clerk, master of the said Free Grammar School ; admit to be true all that Mr. Lawson had said about the constitution of the school and the election of the governors ; and assert that Mr. Wharton had been duly elected master in December, 1674. But he and they, jointly and severally, deny “ that the defendant, Posthumus Wharton, doth govern and dispose of the said revenues of the said school as he listeth, or otherwise than as receiving and disposing thereof in such manner as is hereafter mentioned and set forth ; neither have these defendants or any of them, or the said Mr. Wharton, as they humbly conceive, been guilty of any misbehaviour or mismanagement in the trust in the said letters patents expressed ; for these defendants, the governors, and every of them respectively, say that they and every of them

were inhabitants of the said town and p'ish of Sedbergh, when they respectively were chosen, and have not, nor any of them hath, departed with their or his family from the said town or p'ish of Sedbergh since the time they have been respectively chosen governors as aforesaid. Neither do these defendants, or any of them, know or can remember or have heard of any person or persons that were governor or governors as aforesaid, that departed from the said town or p'ish, except a Mr. Daniel Mayers, Mr. Geoffrey Borrett, Mr. Braithwaite Otway, Mr. Christopher Adamson, and Mr. John Robinson." The latest of these departures had happened more than ten years before, and other governors had been duly elected in the place of those departing. "And these defendants do severally say that the defendant, Charles Otway, Esqre., is son and heir of Sir John Otway, Knt., deceased, and a Doctor at Laws, and seized and possessed of a considerable estate, lying and being in the said town or p'ish of Sedbergh; and thereby and by his other estates, education and quality, being the most considerable person of the said town and p'ish, was, by these defendants, J. Rose, J. Bland, L. Dawes, J. Faucit, C. Corney, J. Ward, and W. Corney, being the greater number of the governors for the time then being, and being seven of the present governors, duly elected to be one of the governors in place of Edward Faucit, a former governor, then lately dead; he (ye said Dr. Otway) then inhabiting ye said town and p'ish of Sedbergh; and his election was unanimously made, and that without being influenced in any way or respect by the defendant, P. Wharton, whose relation to ye said doctor was not otherwise than that the defendant married a sister of the said doctor, who died several years before the time of the said election of the said doctor; and that the said doctor hath resided and inhabited with his family at his house, Ingmire Hall, situate in ye said town and p'ish of Sedbergh, in every year since he was so elected, to wit, in the summer time, or the most of it, since his said election, and hath furnished his said house with very rich, fashionable, and valuable house-hold goods; and though the said doctor did and doth usually leave and depart from the said town and p'ish in the season of autumn or thereabouts every

year, and repairs to St. John's Colledge, in Cambridge (though he is not one of the fellowes thereof), living there only as a fellow commoner or such like respect ; yet, he all along since his said election hath left all his family or most part of it at Ingmire Hall aforesaid, saving a servant that used to wait on him at Ingmire Hall, and in his journey betwixt Cambridge and Ingmire Hall, and backwards to Cambridge, so that the defendants, the said eleven governors, do hope and conceive that as the said Dr. Otway did inhabit in ye said town and p'ish of Sedbergh at ye time of his said election ; and hath continued, part or all his family, there all along since such his said election, save as above mentioned ; and hath inhabited at his said house some part of the year ever since, to wit, in the summer season, or the greatest part of it, that therefore he (ye said doctor) was and is still duly qualified to have been elected ; and as he hath not since departed with his family to any other place without ye said town and p'ish in any other manner than as above mentioned, that, therefore, these defendants neither ought nor may choose another person to be a governor in his place, so that such of these defendants that elected ye said Dr. Otway do humbly hope that they have not in respect of the said Dr. Otway mismanaged or misbehaved themselves in relation to ye trust in them reposed in and by ye said letters patents. But, if they have it hath been ignorantly, and by their misapprehension and misprising of the intent and meaning of ye said letters patents in relation to election of governors ; and, if so, they and the other defendants, ye governors, are ready to obey such directions and orders for redressing such mistake as this honourable court shall be pleased to make. And the defendant, P. Wharton, doth absolutely disown and deny that he ever exacted or demanded any other monies or other rewards or profits from the parents or friends of any boys belonging to or taught by him in or at ye said school, or any of ye boys there taught ; and doth also deny that he ever refused to admit or teach any in ye said school unless they paid him 20 shillings or a guinea, or other sum of money, upon that or any such or like account of any person whatsoever ; nor ye sum of 40 shillings per ann. or any sum of money for every or any boy by

him taught in ye said school. And this defendant, P. Wharton, doth also deny that he ever demanded or exacted from any scholar any sum of money at Shrovetide, called by the name of cockpenny or by any other name ; or received any sum of money upon the account of any of the boys taught in the school, save as is undermentioned ; but ye said defendant doth say that he is informed and hopes to prove that for the time of all his (the defendant's) several predecessors, masters of ye said school, it had been a general practice that ye parents or other friends of boys brought to be taught in ye said school did give ye master 10 shillings or 20 shillings, or more or less as their abilities or inclinations moved them, for gratuity when they did first bring boys to be taught there ; and that, likewise, about Shrovetide yearly, several or most of ye boys (by ye consent and approbation of their parents or guardians, or by example of ye other boys belonging to ye said school, or some of them) contribute together some 5 shillings, some 10 shillings, and some 15 or 20, or more or less as their parents or guardians, or sometimes themselves, thought fit, and made up such contributions into one or two gross sum or sums, purse or purses, and presented such gross sum or sums, purse or purses, by the name of cockpennies to ye master of ye said school for ye time being, about Shrovetide yearly by ye hands of 2 of their members, they being ye head scholars ; and ye same practice at Shrovetide is and long hath been used in most neighbouring free schools, which said practice and usage in presenting ye master such gratuity as aforesaid, at ye entrance of boys into ye said school, and making up and disposal of the said monies, called cockpennies, this defendant doth confess, hath been continued for ye most part towards him by such parents and guardians, and boys respectively, or some for them, ever since this defendant was master. And ye said bounty monies and gratuities have been voluntarily and freely presented and given all along to this defendant, especially by gentlemen and others, wealthy persons, living remote from ye said town and p'ish, and that without any demand or exaction made thereof by this defendant in any manner. And this defendant doth likewise confess that some, though very few, par-

ticular persons of ye wealthiest or ablest parents of quality of boys, which were or are taught at ye said school, have generally every year presented this defendant with some bounty money or gratuity, over and above such money given at entrance, or cockpennies as aforesaid ; wherein all persons were so at their own free liberty, and acted so variously both in ye value and ye times, that this defendant is not able to be particular in this respect. All which said bounty monies and gratuities this defendant did accept in good manners, and out of respect unto and lest he should by a refusal disoblige ye persons presenting and giving of ye same to him ; for 'tis very probable if this defendant had refused ye same, ye parties, parents or guardians, presenting or giving, or ordering ye same, would have been angry at, or have censured this defendant's denial thereof. And this defendant doth humbly crave leave to offer to ye consideration of this honourable court, that since ye said year 1674 until this present time he hath discharged his duty in his said most useful, important, and laborious office of schoolmaster of ye said school, with as much diligence, integrity, and success as he possibly could ; he having been so indefatigable therein as to have risen, for ye most part, since his having been master of ye said school, at or about 4 of ye clock in the morning, and to have been with ye boys in the said schools usually by 6 of ye clock, both summer and winter, till about 2 years since, when for ye preservation of his health, it being impaired by age and hard labour, he was advised, and so hath practised, to begin ye school in ye depth of winter only at 7 of ye clock in ye morning, and this defendant also hath, for most part of ye said time in ye evenings, made it a great part of his business to discover how ye several boys taught in ye said school spent their time, which this defendant's care and industry has been so far successful ; that he has generally had a very full school, and more considerable than any school in that part of the county of York, or in ye neighbouring counties of Westmorland, Cumberland, or Lancashire, having regard to ye qualities and circumstances of ye parents of ye boys taught therein, ye said school consisting of boys not only living and born in ye said town, p'ish, and neighbourhood, but of ye sons of several gentlemen

and others of very good quality and ability living far distant ; so that there have gone yearly from the said school, since this defendant, P. Wharton, was master thereof, not only several scholars taught by this defendant unto one of ye universities of this realm, who have been reputed upon their admission there to have been for ye most part as well and often better instructed in grammar and school learning than any or the most coming from other schools to such universities, but, likewise, several other boys have gone into other places after they had been taught in ye said school by this defendant, that have proved very eminent men in their several subsequent stations and course of life ; so that this defendant not only hopes to prove that ye persons who have given or bestowed any gratuity or bounty money upon this defendant, or ye most of them, will think, and upon occasion so declare, that this defendant did very well deserve ye same as given to him for his extraordinary care and pains in educating such boys that were put to him ; but, also, this defendant doth humbly hope that in regard that he never exacted or demanded any sum of money, that such his acceptance of some small gratuities, there being, as this defendant is advised, no matter or thing in ye said letters patents contained to ye contrary, nor any clause therein to restrain this defendant from acceptance of such small bounty money or presents, this honourable court will be of opinion that this defendant hath not done anything amiss in this respect, such like or some other gratification being as he (this defendant) is informed, practised and permitted in almost all, and even ye best ordered and endowed schools in this realm, as those of Westminster, Eaton, and others. And this defendant denyeth that if such bounties in ye said information mentioned were refused, he either refuses or hath refused to teach boys of such parents or friends, or treats or hath treated ye said boys with such marks of distinction that he compels a compliance to any pretended demands in ye said information mentioned. And this defendant saith he doth not make nor hath made in his method of teaching, or in any of his deportment, any such distinction between ye boys of ye said school ; his (this defendant's) carriage and dealing being alike and common to all

ye boys, and without any difference, but what their different demerits or carriage in their lives and learning ought reasonably to produce in this defendant. And this defendant further saith that for all ye time he hath been master in ye said school there hath been an usher or under master in ye said school, duly appointed by this defendant ; which said usher hath had and received ye yearly stipend, salary, and allowance of 16*l.* out of ye revenues of ye said school, and such usher hath also yearly received such gratuities and bounties from ye parents, guardians, and friends of boys in ye said school, or from ye boys themselves by ye order or approbation of their parents, guardians, or friends, as that his place is unanimously esteemed to be worth ye sum of 36*l.* or thereabouts, which said place or office of usher of ye said school, this defendant doth, therefore, believe to be as good in point of profit, if not better, than ye like many neighbouring school or schools. And this defendant denyeth that he hath appointed one or more of ye scholars to supply ye place of an usher, except in case of sickness or absence of ye usher for ye time being, or for some other accidental occasion which could not reasonably be foreseen or prevented. And this defendant denies that he (this defendant) receives ye entire rents, revenues, and profits of ye said school to his own use, or that this defendant hath so great an influence over ye said governors that they dare not contradict or withstand any such proceedings, but on ye contrary, ye entire yearly profits have been all along applied in such proportions as, in ye belief of ye said P. Wharton have usually and in former times been allowed and practised. And this defendant believes that taking one year with another he hath not received out of ye entire rents and profits of ye said school above ye yearly sum of 97*l.* And as to ye presents and gratuities which have been from time to time yearly given and bestowed upon this defendant, they have been so uncertain both as to ye value of them and ye time when given, that this defendant is not able to give any certain yearly value thereof, this defendant not keeping any notes or memorandums thereof."

CHAPTER XII.

MR. Wharton continues his defence as follows : — “ And this defendant further saith, that in defence of the rights of the school, and otherwise for the improvement of the possessions belonging to it, there hath been expended out of the rents and revenues of the said school at several times and occasions since this defendant became master thereof the sum of 250*l.* or upwards, to the great impairing of this defendant’s stipend, salary, and support. And this defendant denyeth that he hath made any unlawful advantages by the said school, or has been guilty of any misbehaviour in granting certificates to any scholar of his school, when procured or sent for by any in order to be a fellow or a scholar in St. John’s College, in Cambridge, or when sent to that college ; neither did this defendant ever ask, demand, or receive the sum of 10*l.*, or any gratuity whatsoever, for making or signing any such certificates as in the said information is falsely suggested. And this defendant also denieth that he at any time when any person or persons was or were qualified by having been taught in the said school to be admitted to the said fellowships or scholarships, or any of them, in St. John’s College aforesaid, or that when this defendant ought in justice and in duty to have granted such certificate or certificates, that this defendant either refused so to do, or raised objections or cavils against the same until the sum of 10*l.*, or any other sum of money, was paid him ; but on the contrary, this defendant hath constantly and freely made and given the same to his scholars taught in his school without demanding any fee or reward whatsoever ; and this defendant denyeth that he did ever receive any strangers into the said school with intent to cause them to continue for a small time there to elude the provision for scholars going out learned out of the said school to the said college ; neither hath this defendant, for 10*l.* in fees, or for any other reward, given any

certificates to any such boys that were strangers, or that were taught and educated in the said school of Sedbergh for a small or other time, thereby to qualify them to be received as fellows or scholars going out learned out of the said school unto the said college in Cambridge otherwise than that this defendant in the certificates by him made to the said college constantly set forth as near as he could the true space of time truly wherein the person named therein had remained as a scholar at the said school, thereby leaving it to the said college to judge how far such person so certified for was capable of being elected to be a fellow or scholar in such respect ; and this defendant saith he never gave any certificate to any scholar but that he specified the time of his abode at the said school as aforesaid as exactly and truly as he could, and that if he cannot enjoy the said place of master of the said school during his good demeanour therein quietly, he shall be very free to quit the same, as being very unwilling and unfit to be concerned in any, but especially malicious and vexatious, suits, as for the reasons above and under mentioned he conceives this to be, all which he humbly submits to the consideration of this honourable court, he having not to his apprehension in any wise misbehaved himself in his said office or place. And the other defendants, the 11 governors of the said school, do jointly and severally say that they do not know, believe nor have heard that all or any of the several matters by the said information charged to be done and committed by the defendant, Mr. Wharton, or any of them are true otherwise than are above set forth by the said P. Wharton ; but, on the contrary, these defendants say that the said P. Wharton hath discharged his duty of master of the said school as or rather more fully and beneficially for the parties concerned as or than is above mentioned. Whereas the said town and parish of Sedbergh, is much enriched and benefitted, not only saving the charges of putting forth the boys of the said town and parish out at remoter schools, but by the monies spent therein for the diet, apparell, and other necessaryes of the boys coming thither from remote places, and by monies expended also therein by the parents or others coming with or visiting such boys ; and that the said school is as considerable, as is by

the said P. Wharton sett forth, insomuch that if the said P. Wharton should leave it, by reason of his uneasiness by such suits as this, or for other reasons, or should die, these defendants do conceive that the said school would for a long time be exceedingly impaired, and the said town and parish be consequently prejudiced in many important respects. The rather for that most of the boyes would upon the uncertainty of the fitness and aptness of his successor (coming generally and immediately from the said college and consequently untried in that respect) go to other schoolmasters of good established repute in their calling."

The governors then proceed to deny that Mr. Wharton had any such influence over them as to govern them or hinder them from "contradicting him when he ought to be contradicted (if any such occasion ever happened)." They also, as well as Mr. Wharton, denied that money had been claimed from the tenants to rebuild or enlarge the school, or subscriptions demanded; though Mr. Wharton admitted that he might have had some casual conversation with some few persons on the subject. It was also stated that it had always been the custom (in order to save the expenses of a yearly salary to a receiver thereof) that the rents, issues, and profits were received by the master, and out of them he paid the usher, kept the school in good repair, and disbursed all other sums concerning the ordering and managing the said lands and tenements, and vindicating their rights, which (the governors conceive) is not inconsistent with the said letters patents, unless the master should neglect or refuse to pay the usher, etc., wherein when any master shall make default as they remember no such to have happened, these defdts., the 11 governors, will take themselves to be obliged to constitute by some instrument a particular receiver of the said rents." Mr. Wharton stated that "he had paid the usher out of the rents, repaired the school, built a lath or barn, and a new house for the master for the time being to live in." It does not appear what this house was, as Mr. Wharton lived at Thorns in the time both of his first and second wife, who died there, and a family named Mayer lived there before him as far back as 1657. He may, however, have built

a new house there, but this descended, I believe, to his family.

The governors further state that they conceive it to be their duty to improve the revenues of the school wherein they reasonably may, "the rather since families cannot now-a-days be maintained at as easy rates as they might have been above 20 years ago, and that as the stipend and place of the said master is the most beneficial, so the school will, in all and greater probability, be constantly supplied with a person very eminent in that profession, and the intent of the said letters patents be the better effected." They then gave the dates of their respective elections, and declared that they were all resident in Sedbergh, and professed their belief that "Mr. Lawson (whose son-in-law is a councillor at law) hath caused or procured the said information to be exhibited without any cause, colour, or pretence, other than to vex and weary these defendants with multiplicity of suits, and to gain new leases as followeth without any sufficient fines, he having also filed or caused to be filed a bill of complaint against them and others in his own name and others in this honourable court, upon very false, frivolous, and weak suggestions, and refusing to pay a fine reasonably demanded of him for renewing or making leases to him of three farms belonging to the said school, worth 34*l.* per annum or upwards, as they the defendants are credibly informed and hope to prove." And "these defendants hope that inasmuch as the estate in law in the said school lands is in these defendants, the governors, and the said Chas. Otway's hands for such a charitable and important use as is that of education of youth, and being for the benefit of the master and usher of the said school, these defendants and the said Dr. Otway may have the like power and liberty to demise the said three farms to whom they please at a full rent, and shall not by malicious suits or otherwise be compelled to leave the same to the said vexatious relator. The rather, since that his said proceedings tend very much, as these defendants conceive, to the prejudice and discouragement of the said school and the good and pious intent of the said letters patent. And this defendant, P. Wharton, saith he hath not received any fines or contributions for rebuilding the said

school ; neither hath this defendant any constant yearly sum for every scholar he teaches in the said school, as is vainly imagined by the said information." The governors then declared all Mr. Wharton's statements to be true, and prayed to be "dismissed with their reasonable costs and charges in this behalf wrongfully sustained." Mr. Curre, attorney-at-law, delivered a bill of charges for this suit to the governors amounting to 89*l.* 2*s.* 9*d.*, of which he was not willing to make any abatement ; but as it seems that the plaintiff had to pay costs, this large sum of money was of the less consequence.

On the 26th of June, 1706, Mr. Wharton resigned his mastership into the hands of the college, in the following terms : —

"I, Posthumus Wharton, master of the Free Grammar School of King Edward the Sixth, in Sedbergh, in the county of York, do freely and willingly resign into the hands of the worshipfull the master and senr. fellows of St. John's College, in the University of Cambridge, all the right and title that I have to the said school, to dispose of as they in their wisdoms shall think convenient. In testimony of which I, the said Posthumus Wharton, have sett my hand and seal the day and year above written.

"POSTHUMUS WHARTON.

"Witnesses to the signing and delivery hereof are as under—Jonathan Rose, James Bland, Henry Holme, Christopher Gawthrop, Simon Atkinson, Jo. Brackan."

This document is written by Mr. Wharton in a very clear and delicate hand.

It appears from one of the school papers that after his resignation of the mastership Mr. Wharton was one of the governors of the school, until his death, March 27th, 1714. It is not known in what part of the church he is buried.

The following letter from Lord Fairfax, respecting the governors' votes, may be interesting ; it is addressed as follows : —

"To the Rev. Mr. Wharton and the rest of the Feoffees at Sedbergh School.

"Denton, Oct. 1, 1703.

"Gentlemen, — Coming lately into the country, I find that interests are making for the next election of Parliament men. I have had the honor to be chosen for the county, for which I

thank my friends, and you, gentlemen, in particular. My unwillingness to engage them in contentions was the reason I declined it the last time, whereof some gentlemen were so sensible as they made a voluntary promiss to chuse me the next. And I am resolved to put it to the tryall, desiring your assistance, and that you will signifie it as occasion happens, when you will greatly oblige, gentlemen,

“Your most humble servant,

“FAIRFAX.”

In Mr. Wharton's last will, dated September 11th, 1710, he left to the governors 20*l.* to be put out at interest, and the yearly interest to be be applied to the maintenance of a poor scholar at St. John's College, in Cambridge, that is born within the parish of Sedbergh and educated at the school. The governors lent the money accordingly to two men, who paid interest for it; but in 1731 they were “unable to pay their just debts,” and the governors only recovered 8*l.* of the 20*l.*, which they lent to another person.

The next master of the school was Mr. Dwyer, of whom I know nothing, except that he seems to have left the school in 1709. On the 20th September in that year it was agreed at a meeting of the governors “that when it shall happen that any master of the said school shall dye, or remove from the said school, that what time as they have taught the school after the half-year day, they shall have allowed them 40 shillings per week for every week, and to be paid them out of the next half-year's rent next coming; the same sum being paid by Mr. Dwyer to Mr. Wharton, and this custom to continue as long as the rents shall continue as they are.” On the 10th of October, 1709, they made a memorandum that “Mr. Dwyer taught Sedbergh School fifteen weeks after midsummer last, so there remains, pursuant to the agreement, above 30*l.* to be paid out of the rents next accruing.”

Mr. Dwyer was succeeded, apparently, by Dr. Samuel Saunders, who had a peaceful reign of thirty years. He seems to have speedily won the regard of the governors, as may appear from the following decree, dated October 26, 1709:—

“ Be it known to all whom it does or may concern, that the governors of the Free Grammar School of King Edward the 6th, in Sedbergh, taking into their serious consideration that the endowments and statutes of the said school were designed for the liberal education of youth in good literature, religion, and morality, to the honour of God and the publick weal of Church and State, have in their meeting this day made a decree, that if any publick or private house in Sedbergh, or the parts adjacent, shall at any time or on any occasion entertain any of the young gentlemen, strangers, or our own neighbours, scholars for the time being of the said school, without the privity, knowledge, or consent of ye master, or parents, or landlords of the said scholars; or if any be instrumental in the imbezzlement of the books, cloaths, or other goods of the said scholars (who by reason of their minority have not such things at their disposal), they shall be complained of to the magistracy, and prosecuted according to law. And for the encouragement of the present master, his great care and diligence in so a good a work, the said governors will stand by and assist him to the utmost of their powers. For the apparent truth thereof and to signifie our resolution and unanimity herein, we have sett our hands this 26th of October, 1709. — JONATHAN ROSE, JOHN WARDE, SIMON WASHINGTON, WILLIAM CORNEY, CHRISTOPHER CORNEY, CHRISTOPHER GAWTHROPP, JAMES RIDDING, JOHN FAWCETT, JO. BRACKAN. Mem. This was published at the Cross upon the same day, and afterwards fixed there under the school seal.”

Dr. Saunders, besides being master of the school, was vicar of Wheldon and Hulton Bushel, in Yorkshire. He married Margaret (daughter of Mr. Posthumus Wharton and Mary, his wife), by whom he had two daughters, Margaret and Rachel, born in 1713 and 1716.

On the 21st of June, 1710, the governors and Mr. Saunders agreed to confirm a decree made previously, that there should be no play-days granted for the future, except one afternoon in a fortnight's time, so it is to be supposed that the numbers of the boys kept up well.*

* See Page 118.

In 1722 the governors sent a Mr. Eade to examine into the state of their distant farms. He set off on Sunday, May 13th, and rode that day to Settle, having refreshed at Clapham. The next day he went by Skipton to Halifax. His expenses in ale on Wednesday, 16th, when he met at Coley Chappel several of the tenants, amounted to 5s. 2d. He found many persons in the neighbourhood of Doncaster who gave him information on the subject of the Sedbergh land, as it was called, though in some instances no rent was paid to the governors, and it could not always be found out to whom it was paid. One man, named Emerson, had a farm commonly called Sedbergh School Lands, and Mr. Yarborough, of Natfield, Mr. Stones, of Brait, and Mr. John Smith, of Rancor, all said to Mr. Eade (who kept a journal of his proceedings) that Emerson had told them often that he had a farm of Sedbergh School Lands, and "pretended every year to goe into the north to pay rent, but where or to whom no person ever knew, he kept the same so secret." On the 21st of May, Mr. Eade went to Bramwith Woodhouse, and "laid his horse fast in the way," way," and had to pay 1s. 6d. to men and horse to get him out. He lodged that night at Bramwith, and on his way there he met with one John Denman, a Quaker, who, as he says, "informs me that William Watson, of Bramwith Woodhouse, had made a late purchase of lands in our lordship, and that in his deed for the said lands he had caused to be inserted a conveyance of the royalty, waifts, strays, fishery, and whatsoever else belonged to the said royalty. When I inquired of Watson concerning the same he confest, and that he thought the governors of Sedbergh School would never look after their rights, therefore that he might as justly claim the royalty as the neighbouring lords who disputed our title and threatened to drive our common. One Reynold, of Bramwith Woodhouse, tells mee that his brother Reynold, who dyed in York Castle, left some witness in the jaylor's custody relating to our mannor and fishery." Mr. Eade did not at this time make any search for these writings, but after transacting various pieces of business he returned to Sedbergh, on Saturday, the 26th, having spent on his journey 2l. 17s. 0½d. He had borrowed a saddle

of Mr. Rose for the journey, towards the repairs of which, costing 2s., Mr. Eade paid 1s. On Wednesday, the 13th of June, he set forth again, having first dispatched a messenger (to whom he paid 4*d.*) to go to Copplethwaite and fetch Mr. Morland's horse off the moor. This animal having had a new shoe, price 3*d.*, Mr. Eade started on his journey, going first to Kirkby Lonsdale. On Friday, the 15th, he was at Shelf, where he met "Mr. Sharp, Medley's widow, and Waterhouse, and," as he says, "had no other way but by treating the company to obtain a release from Waterhouse and Medley's widow; by which they relinquish all title to our farm at Shelf; also prevailed with Medley's widow and Waterhouse to sign a general release to each other. My expenses on this account, 6*s.* 4*d.*" On Sunday, the 17th, Mr. Eade rode to York and saw the jailor, who, however, before he would give a letter to enable Mr. Eade to get Reynold's papers, "squeezed out of him 6*d.* for shewing the Castle, and a treat of 2*s.* 2*d.*" Indeed, throughout his journey, Mr. Eade found it necessary to pay by treating for any information that he required. In November he took a third journey, going first to Kendal to consult Lawyer Chambre, and thence to Kirkby Lonsdale. Between these two places his horse fell and lamed him, so that his journey was greatly delayed. He got through a large amount of business on this occasion, holding courts, granting leases, etc., and the expenses of the whole excursion, which ended on the 26th of December, were 14*l.* 10*s.* 10*d.*

It will appear from the following notice how these expenses were provided for:—

"At a meeting of the governors of the possessions, revenues, and goods of ye Free Grammar School of King Edward the 6th, in Sedbergh, in the County of York, on the 16th day of November, A.D. 1722, there being present The Reverend Mr. Jonathan Rose, Mr. Charles Atkinson, Mr. Chris: Gawthropp, Mr. John Holme, Mr. James Stock, Mr. James Simm, Mr. Richard Fothergill.

"The governors taking into consideration the great diminution of the revenues of the school by the loss or concealment of several parcels of land, rents, and tithes, heretofore belonging

to ye same and now possessed or detained by other persons through the ignorance, negligence, or ill practises of persons employed by the masters of the sd school, in and concerning such premises, and more especially in or near the manor of Bramwith Woodhouse, and in the parishes of Hallifax and Weston, in ye which first-named parish great wast and destruction hath also been made in ye timber trees of the governors, and considerable discoveries of such concealed lands, tithes, rents, and wasts being lately made by Dr. Saunders, the present master of the sd school, and persons employed by him to repair to the said parts to make enquiries and observations, and to retrieve several court rolls and evidences of the title of such lands and premises, whereby much expense of money is caused and undergone by the sd Dr. Saunders, and proceedings at the law and in equity will be necessary for the recovery of such lands, rents, tithes, and damages for such wasts, the benefit of which past and intended proceedings will ensue more to the next schoolmaster than to Dr. Saunders, in case the sd Dr. shall not survive the sd intended suits, and, forasmuch as it hath been usual to renew the leases of the estates of the sd governors (for the most part) when the leases in being had only two years or thereabouts to come and remaining unexpired, and application being now made unto ye sd governors for granting leases of the tithes in the parish of Weston and township of Askwith, altho' the term of three years and -odd months or thereabouts are yet to come therein and unexpired, it is nevertheless agreed upon by the sd governors that new leases shall be granted of the sd tithes, to commence at the expiration of those in being, and that for the usual term of twenty-one years, and under the yearly rent of 22*l.* 1*s.* for Askwith tithe so as the leasees in such new leases do advance and pay the sum of 90*l.* for Askwith tithe in the whole, for a fine or fines so to be obtained shall be the fund, and be employed as well for reimbursing the sd by past expenses as for defraying those to come, and to be undergone for and concerning the restitution and recovery of the sd just rights of the sd governors, who, nevertheless, do upon this occasion declare that the granting of the sd intended new leases (so to be made before the usual times) shall not

hereafter be drawn into president, and is agreed now to be practised merely upon the extraordinary occasions before recited, and not otherwise, and is therefore become necessary at this juncture, and with a full view of improving the revenues of the sd school. This order is confirmed by us the sd governors this 8th day of Jan., 1722. Witness our hands—JONATHAN ROSE, CHARLES ATKINSON, EDMOND BLAND, JAMES SIMM, JOHN FAWCETT, ARTHUR CROXTON, JOHN HADWIN, RICHARD WARD, JOHN HOLMES, RICHARD FOTHERGILL.

Dr. Saunders died November 1st, 1741, aged 58, and was buried at Westminster.

CHAPTER XIII.

DR. Saunders was succeeded by Mr. Broxholme, who did not, however, come to Sedbergh until the 25th of March, 1742. He paid to Mrs. Saunders, according to an arrangement made by the governors, 37*l.*, "for and in consideration that the school was taught, or caused to be taught, by the late Dr. Saunders from the 24th day of June, 1741, till the 1st day of November in the said year (being the day of his death)." Mr. Broxholme was an eminently unsatisfactory master, as will appear from the following queries addressed by the governors to some legal adviser:—

"It has been the custom upon renewing the school leases to receive a fyne for the use of the master. But either covetousness or necessity prompt every master to reach at these fynes before they become regularly due; therefore, to prevent the complaining and murmerings which frequently happen on one side or other by granting or refusing these unseasonable requests, we think it would be the most equitable and reasonable way to sink the fynes and increase the rents, and for our direction in that matter we desire your opinion.

"QUESTION.

"1. Can the governors by virtue of the letters patent, or any other statute in being, be warranted to dropp the fynes and to increase the annuall rents of the school *in proportion to the vallue of the accustomed fynes?*

"ANSWER.

"I apprehend that the master is intituled to all rents, issues, and profitts arising from the school lands yearly, and from tyme to tyme. And, therefore, I think, all fynes on renewall of leases will belong to him, as well as the yearly reserved rents. But I can't see by the letters patent that the govrs have power to lett

leases at less or other reserved rents than at rack or the full vallue, and if so, that wil putt an end to all fynes or money on granting the sd leases. Unless the govrs shd do this by the advise and consent of the mar. and fellows of St. John's, who together (and not otherwise) have power given to make laws and statutes for the government of the mar., usher, scholars, and revenus of the sd school, for the support of the said school and the two fellows and 8 scholars to be sent from the sd school to the said University of St. John's, Cambridge. And if no such orders or statutes have been heretofore made by the said mar., fellowes, and govrs that fynes shall be pd on renewall of the leases of the school lands, in that case I advise to lett all the present leases expire and not to renew but at rack rent, and that will answer the purpose of the quere. But I apprehend that if any fynes be now in hand on accot of renewall of leases, that it hardly falls within the scope of the power given the govrs to purchase lands and (houses?) there with not exceeding the yearly value of 20*l*. And I apprehend that all statutes and orders relateing this foundation made by Mr. Roger Lupton are void, and nothing now remaining sinse those possessions *int. alia*. fell to the Crown at the tyme of the Dissolution of Abbies, etc., but wt is granted by ye letters patent of Edward 6th.

“QUESTION.

“2nd. The school tenants in their leases covt to pay their rents to the governours for the use of the schoolmaster, and seeing Mr. Broxholme does not performe the office and place of a schoolmaster, can the governors detain the rent received till he performe his office?

“ANSWER.

“I apprehend the school is full till Mr. Broxholme is removed. And I observe that the mar. is chosen for life, or so long as he behaves himselfe well, whereby he has gained a freehold in law from which he can't be removed but on just cause shewn in some of his Ma'ties Courts of Record, on proper articles to be exhibited agt him. And that the guvenators,

with the advise and consent of the mastr and fellows of St. John's, will make some statute or order touching the mastr's behaviour, whereby to oblige him to go to the school constantly and to continue therein to instruct, etc., from day to day so many hours, or in default thereof to order that he shall be removed from his office and from the profitts of his office, wh I apprehend they have power to do by the lres. patent; and upon his making default I apprehend they may exhibit an information against him in the King's Bench, and so have him removed; but without such method taken I am at a loss how to advise, and think this a case of so much difficulty as well to deserve the advise and opinion of the Attorney Genl. But at present, and so long as the school in point of law is full, the rents, etc., must be pd to him. And I also apprehend that, notwithstanding the rents are reserved to be paid to the govrs in the school-house, yet they are payable to Mr. Broxholme at his house. And if the govrs can't have access there, then I advise them to send Mr. Broxholme notice in writing of a proper place and tyme appointed for payment, and that the money will be then tendered him if he'll p'sonally appear to receive it; and if he refuses I think he'll have difficulty to maintain an action, and I think the school-house a proper place to make the tender at. But till such order is made, and till he is removed, he is intituled to receive the profitts. And I shd apprehend that it is necessary for the govrs to make such order as above prescribed and to send it to the master and fellows for their advise and consent, and upon their refusall to sign such order, then I apprehend, under the state and circumstances of this case, that the governours and parish may have the benefitt of the school, they will be intituled to have an execution of this grant or letters patent by decree in Chancery on a bill to be fyled agt Mr. Broxholme and the master and fellowes of St. John's, Cambridge, and to pay an injunction to stay paymt of the rents and profitts.

“QUESTION.

“3d. Can the governours retain charges necessarily expended abt the school affairs?

“ANSWER.

“I apprehend the gov^{rs} may retain all charges incident to letting the estates, repairs of the mastr’s house (which I presume is the school-house), and for defending the title to the estates. And sh^d think they wd be allowd costs of suite out of school revenues for wt ever relates the affaires of the school. But if they fail in this attempt agst the master, I think they would not be allowed those expenses, as they would not in construction of law be deemed necessary expenses.

“QUESTION.

“4th. If the law will oblige the governours to pay the annuall rents to Mr. Broxholme, notwithstanding his continued negligence, and seeing Mr. Broxholme will not depart from his chamber, must we attend on him there to pay the same? Or, as the tenants are bound by covenant to pay the rents at or in the school to the governours, would it be proper to make a tender at or in the school, giving Mr. Broxholme notice thereof; or how ought we to demeane ourselves in discharge of the trust reposed in us, seeing the world blames us for paying wages where no work is done; and Mr. Broxholme, on the other side, must be equally uneasie by the want of necessaries to support him in idleness?

“Answered by the foregoing answer.”

This paper is not dated, but on the 21st of September, 1744, Mr. Broxholme gave a release to the governors, as follows:—

“Know all men by these presents that I, William Broxholme, of Sedbergh town, in the county of York, clerk, for divers good causes and considerations me hereunto moveing, have remised, released, and quit claimed, and by these, for me, my heirs, executors, and administrators, do fully, clearly, and absolutely remise, release, and for ever quit claim unto William Burton, Edward Bland, John Gawthropp, Richard Ward, James Simm, James Braithwaite, Edward Leece, Christopher Corney, Richard Branthwaite, John Howgill, Arthur Croxton, and John Fawcett, governours of the possessions, revenues, and goods of the Free Grammar School of King Edward 6th, at Sedbergh — all and all manner of actions, cause and causes of actions, suits,

quarrels, controversies, trespasses, damages, and demands whatsoever, both in law and equity, or otherwise howsoever, which against the sd William Burton, etc., I ever had, now have, and which I, my heirs, executors, or administrators shall, or may hereafter have, claim, challenge, or demand for, or by reason or means of any matter, cause, or thing whatsoever, from the beginning of the world unto the day of the date hereof. — In witness whereof I have hereunto put my hand and seal ye 21st day of September, 1744.

“W. BROXHOLME.”

It seems from this document that Mr. Broxholme and the governors must have come to some agreement as to where his salary should be paid ; but this is all I know about him, except that on November 19th, 1744, he was in arrear of rent to the vicar, for School-house Garth, 1*l.* 10*s.* If, during part of his time, he was in want of the necessaries of life, as the governors seem to suppose, it is not wonderful that he should be a little behindhand. He died in 1745, and was buried March 14th.

Mr. Broxholme was succeeded by Mr. (afterwards Dr.) Wynne Bateman, who came to Sedbergh School the 24th of May, 1746. Unless there was a very long interval between them, of which I find no record, this date seems to show that the 25th of March was still the beginning of the year, as Mr. Broxholme died the 12th of March, 1745, and the 24th of May would in that case be not much more than two months later. Dr. Bateman, February 17, 1746, married, at Firbank, Rachel, younger daughter of Dr. Saunders. Their children were — Catherine, born December 19th, 1747 ; Samuel, baptized March 21st, 1750 ; Margaret, March 29th, 1751 ; and Thomas Saunders, April 28th, 1761. Dr. Bateman acted, for a time at any rate, as curate of Sedbergh, as well as schoolmaster. There are few records of his mastership. In 1751 there was a difficulty in collecting the tythes at Weston (in kind), Mr. Vavasour, the landlord, preventing his tenants from taking the tythes to the tythebarn, and some refused to pay tythe, but it is not recorded how they settled it. There are also the following letters relating to the repairs of the school. The first is from St. John's College : —

“Cambridge, St. John’s College, October 27, 1778.

“Sir, — I have communicated to the society the contents of your letter of the 3rd inst. We have examined what writings we have respecting the foundation of Sedbergh School. The right of nominating a master, and of making rules and orders in concurrence with the govrs for the maintenance and management of the school as a charitable end, is all that seems to belong to the college, not a word being said concerning the house or buildings. And tho’ the governours themselves have no power to lay out any part of the rents and profits of the school in repairing ye house, yet, from the very nature of the trust committed to them, they must have a power to call the master to an account for any abuses or neglects which he may be guilty of; and as to the measures they may think proper to pursue for this purpose, the college can have no objection.

“I am, sir, yr most obedient servant,

“J. MAINWARING.

“Mr. J. Wadeson, one of the governours of Sedbergh School, Yorkshire.”

Nearly a year after the governors again applied to the college, as follows: —

“Sedbergh, Sept. 10th, 1779.

“Gentlemen, — Abt 12 mo’s ago Mr. Wadeson, one of the govrs of this school, by l’tre to Mr. Mainwaring, gave an account of the school-house, a very fine building, being greatly gone to decay for want of the necessary repairs being made by the present master, Dr. Bateman, (of which Mr. Holmes, the bearer hereof, can give you full information), and desiring the advice and assistance of the college to oblige him to repair it. In October last, Mr. Mainwaring was so obliging as to answer this l’tre, and said he had communicated the contents of it to the society, who seemed to think that this was a matter which did not belong to ’em. But said, as to any measures the govrs might think fit to pursue, the college wd have no objection. By the charter all the lands belonging the school are vested in the govrs, except an estate adjoining to it (called Lofthouse, let for upwards of 20*l*. p’ annum), on part of which the school-house is erected, and the charter not having

expressly granted this estate to the governours, Dr. Bateman uses it and lets it as he thinks fit, and the charter directs the governours to pay the cleare rents of the rest of the lands to the master for the time being. Hence the governours are not litterally impowered to lay out any of these rents in repairing the school-house ; and tho' they have often required Dr. Bateman to repair it, or allow them to do it out of the rents, he refuses so to do, and for want of reasonable repairs it's now likely to come soon to decay, which will be a great injury to the charity. It's apprehended the Court of Chancery would, upon an information filed at the relation of your society and the governours, direct a sufficient portion of the rents to be laid out in the repairs of the school-house ; but this would be an expensive method of proceeding, and as the college has an interest by having the right of nomination of future masters, the govrs would take it as a favour if the society wd direct their bursar to write to Dr. Bateman and require him to make the necessary repairs, or that proper measures will be taken to oblige him, and if this has not the desired effect, what the college shall think proper or advise further to be done, they may command the assistance of the govrs as far as lies in their power."

It does not appear what further proceedings were taken, except that in 1780 the master and fellows of St. John's gave leave to the governors to repair the school, which, I suppose, they did. The estimate made in 1774 of the expense of repairs and making a new west door was 58*l.* 18*s.* 9*d.* I have not been able to find any account of the money expended on the new building, but it is stated that a school-house, a good and spacious building, was erected in 1716 upon the site of the old one. If so, it seems strange that only 60 years afterwards it should have been so nearly in ruins as the governors say, and I am inclined to believe that this datē is wrong, and that the decaying building in Dr. Bateman's time must have been the original one of Dr. Lupton ; especially as it is called a "very fine one," which could hardly have been said at any time of the present edifice.

Dr. Bateman was master of the school for 36 years. The following is the inscription on a monument to him and two of

his predecessors in Sedbergh Church : — “ Sacred to the memory of the Revd. Posthumus Wharton, descended from the family of Wharton Hall, and Mary his wife, daughter of Sir John and Lady Otway. She died at Thorns, Sept. 7, 1690, aged 31. And he, having been master of the Free School in this place upwards of 30 years, died on ye 23th day of March, 1714, aged 73. To the memory likewise of Margaret, their daughter, widow of Samuel Saunders, D.D., also master of the said school for an equal period of time, and vicar of Wheldon and Hutton Bushel, in this county. He died (and lies buried in Westminster) Nov. the 1st, 1741, aged 58 ; she, June 6th, 1776, aged 86. They had two daughters, the elder of whom, Margaret, died unmarried, on the 18th of April, 1750, aged 36 ; the other, who caused this monument to be erected, married to Wynne Bateman, D.D., also master for six and thirty years of the said school, and with what success and credit he discharged that office, let his scholars, dispersed through the world, say for him. He died, May the 17th, 1782, aged 68. Rachel, his widow, younger daughter of the aforesaid Samuel Saunders, died much lamented, Aug. 20, 1802, aged 86.”

Some of Dr. Bateman's scholars were probably amongst those mentioned by Dr. Whitaker, whose history was written, I believe, during the mastership of Mr. Stevens. “ Still I could, for the sake of the college and for that of the living and of the dead, which this seminary has sent forth to adorn both that and other colleges, be glad to hail this place as classic ground ; but in the taste and fashion of education, as well as all other things, there are revolutions, which interest itself can not control. Forgetting, therefore, what it is, and recalling from more distant times the names of both the Barwicks, let me next commemorate either the living or the recently departed ornaments of this seminary. Dr. George Mason, late bishop of Man ; Dr. Walker King, now bishop of Rochester ; Sir Isaac Pennington, late professor of physic at Cambridge ; Dr. Thomas Kipling, dean of Peterborough ; Dr. William Cookson, canon of Windsor ; Mr. Thomas Starkie, late fellow of St. John's, and now vicar of Blackburn, the senior wrangler of his year ; the witty and elegant Thomas Wilson, B.D. ; and above

all, Dr. William Craven, master of St. John's College, who to the attainments of a profound scholar, added the humility of a saint, and to the manners of a gentleman the simplicity of a child."

To these may be added, from Allen's "History of the County of York," "Robert Willan, a physician of very considerable eminence, and born at the Hill, near the town, in 1757. He received his scholastic tuition in the grammar school of the place of his nativity, under the care of the Rev. Dr. Bateman and the celebrated Mr. Dawson. He died in 1812. The humane Dr. Anthony Fothergill was born at Sedbergh, in 1732-3, and his medical studies were diligently pursued, first at Edinburgh, and afterwards at Leyden, and finally at the Sorbonne at Paris. He obtained the degree of M.D. at Edinburgh in 1763, on his thesis, 'De Febre intermittente,' and soon after he commenced practice at Northampton. In 1778 he was elected F.R.S.; in 1781 he removed to London; and in 1784 to Bath. In 1803, having acquired a fortune sufficient to enable him to relinquish the duties of his profession, he sailed for Philadelphia, where he resided till the political disputes between Great Britain and America assumed a warlike appearance in 1812, when he returned to London. He died May 11, 1813."

In the year 1771, the governors exchanged their rectory of Weston, the advowson, and tithes, with Mr. Vavasour, for a farm at Deepdale Head, and one called Haycoat. This exchange was made by Act of Parliament.

CHAPTER XIV.

DR. Bateman was succeeded by the Rev. Christopher Hull, and it became necessary to find a dwelling-house for the master. The governors stated some years afterwards that "Lofthouse being the only school estate adjoining ye town of Sedbergh, or near the school, has an ancient dwelling-house upon it wherein it is supposed the master used formerly to reside, though no master was ever known to live there within the time of memory ; three of them in succession who held the school for a long while and until the last 34 years enjoying in right of their wives a good mansion but little further from the school than the house at Lofthouse." These three masters were Mr. Wharton, Dr. Saunders, and Dr. Bateman ; Mr. Dwyer and Mr. Broxholme being omitted, and it does not appear where they lived. There is a plan extant (unfortunately undated, but which may have been either in the time of Mr. Dwyer, Mr. Broxholme, or Mr. Hull) for a new school-house and dwelling for the master. The building was to have been all in one, with a straight frontage and a good piece of ground before it, two wings projecting at the back, and a few feet in front of the centre. One of these wings was to be the school, which was 54ft. long by 18ft. broad, with an upper story, and a court round it. The other wing was to belong to the dwelling-house, which has an upper story and attics. The interior of the school is very like the present one, but it has no windows on the side next the house. There is no indication of the site of the proposed building, and it certainly can never have been built. Mr. Hull bought the present dwelling-house of the master and the garden on November 23, 1784. It is described as a capital mansion or dwelling-house, one other dwelling-house, with a stable at the end thereof, a coach-house, etc., two yards, one garden, and one orchard. All or the greatest part of which buildings had been erected by Mr. James Waid-

son, who had died leaving the estate mortgaged to various persons. It was sold to the Rev. Robert Vanburgh, of Chester, April 16, 1782, and on his death passed to his son George, who sold it to Mr. Hull. On the same site there stood, when Mr. Waidson bought the property, besides outhouses, one ancient thatched dwelling-house, which was formerly an inn, called the Cross Keys. The estate changed hands seven times between 1702 and 1784, and paid rent to the rectors of Sedbergh parish, 7s. 4d.

In 1785 Mr. Hull received from John Dawson, apothecary, Sedbergh, and Thomas Holmes, mercer, Sedbergh, 180*l.*, in consideration of which he made over his house and premises to them, unless he paid back the money, with 4 per cent. interest, by the ensuing February. He was to keep the premises until default of payment. The money lent belonged to the fund of the governors. In his will Mr. Hull charged the moiety of an estate called Ulldale with the payment of the mortgage on the house; but after his death his executors sold the house and gardens to Mr. Charles Hudson, of Halifax, for 540*l.*, and he paid the 180*l.* to Mr. John Dawson; and afterwards exchanged the aforesaid premises with the master and fellows of St. John's College, Cambridge, the governors, and Mr. Stevens, the master of the school, for a piece of land called Sedbergh Ing, in Skycote, in the parish of Halifax (given by Edward the Sixth, consisting of two acres and a half of land formerly belonging to the then late chauntry called Hunter's Chauntry, in Halifax), and 90*l.*

In 1796 Mr. Hull made an agreement with John Cockbone, of Sedbergh, yeoman, the owner of certain dwelling-houses and buildings on the north side of the street, to allow the water springing up in the cellars of one of these houses to flow away through his conduit, on condition that John Cockbone should remove a stack of turf at the east end of his house, and in front of Mr. Hull's mansion, and a thatched covering to it, and never erect any thatched building there in the future. There are few records of Mr. Hull's proceedings, except a complaint from the governors that "the school having much decreased by reason of Mr. Hull's incompetency to teach Latin and Greek,

the governors offered him to give 100*l.* to another master, and having nothing more to do with the school himself, which, he refusing, they offered it again, and threatened if he refused they would take a portion themselves for a new master, and take measures to remove him."

What Mr. Hull's classical attainments were we have no means of knowing, but as he was third wrangler in his year (1765), there can have been no reason to complain of his mathematics. It does not appear what followed upon this representation by the governors, but Mr. Hull seems to have died in possession of the mastership, and is buried in the chancel of Sedbergh Church. He died very suddenly, January 3rd, 1799, in the 59th year of his age. He was rector of Aspeden, Herts. In Mr. Hull's time public dinners were given in the great room above stairs in the school, and Quaker speakers were allowed to preach there.

Mr. Stevens, who was also a wrangler, was the next master, and things went on from bad to worse. The governors took counsel's opinion, and stated among other things that "in 1799, the year Mr. Stevens was elected master by St. John's College, Cambridge, the governors purchased for him and his successors a handsome commodious house, offices, and garden, in the town of Sedbergh, lying quite compact and contiguous to Lofthouse land, and the master can, without ever going into the town, pass through his garden to and from the school, only about 200 yards off, a good and spacious building erected in 1716 upon the site of the old one. Previous to Mr. Stevens's time the boys were always taught in the school, and an usher kept, but he, excepting for a very short period, and that long ago, never had an usher, and for years together had the school locked up, teaching entirely in his own house a few boys, scarcely ever amounting to ten, and most of them boarders and lodgers with him."

The school was visited during Mr. Stevens' time by two fellows from St. John's College, the Charity Commissioners, and the Bishop of Chester (who was bishop of the diocese and visitor *ex officio*), but they seem to have failed in working a reformation or finding a remedy. Before Mr. Stevens shut up

the school a dancing master used to give lessons there to his children and others, "to the great annoyance of the studious young men."

In 1799 the annual rents amounted to 300*l.* 12*s.* 6*d.* In 1802 application was made to the governors of the school by the Rev. Richard Sedgwick, of Dent, for the exhibition money for his son born in Dent, but the governors refused his application, considering that only natives of the township of Sedbergh were eligible.

Mr. Stevens died November 9th, 1819, and was succeeded by the Rev. Henry Wilkinson, who was second wrangler and Junior Smith's Prizeman in 1814, and afterwards became a fellow of St. John's. There are few written records of his mastership; indeed, the only one of consequence is a difference of opinion between him and the governors, as to whether boys not natives, but residing in the parish, should pay anything for their instruction. The governors held that the school was free to all comers; and finally it was agreed that they were right. Mr. Wilkinson found the school almost empty of scholars, and left about 50 pupils at his death in March, 1838. A tablet was erected in Sedbergh Church to his memory, with a Latin epitaph, which is as follows:—

A * Ω.

In vestibulo australi hujus Œdis
 Donec Redemptoris adventu resuscitetur
 Jacet Henricus Wilkinson, A.M.,
 Ecclesiæ Anglicanæ presbyter,
 Coll. Div. Joh. Cant., olim socius,
 Et Ludi Regii in hoc vico
 Per annos fere XX Magister.
 Egregie quum Matheseos,
 Tum multiplicum literarum sciens
 Et scientiæ communicandæ peritus
 Quem munere assidue fungentem
 Mors occupavit die ultimo Mart
 A.D. MDCCCXXXVIII., Æt. XLVI.
 Amantissimus suorum, suis carissimus,
 Et propter vim ingenii,
 Et Morum virtutumque dotes,
 Nemini non honoratus

Ingens sui desiderium omnibus reliquit,
 Qui eo vel præceptore,
 Vel amico usi fuerant,
 Hunc lapidem,
 Pietatis et Honoris testimonium
 Alumni Mœrentes.
 P. C.

A * Ω.

In the South Porch of this Church,
 Until he be raised again at the coming of the Redeemer,
 Lies Henry Wilkinson, A.M.,
 Priest of the Church of England,
 Formerly Fellow of St. John's Coll., Cambridge,
 And nearly twenty years Master
 Of the King's School in this place.
 Eminently distinguished for his Mathematical skill,
 And yet more for his varied literary attainments
 And possessing the happy art of communicating knowledge.
 He was arrested by death in the assiduous discharge of his duties
 On the last day of March, in the year of Our Lord 1838,
 At the age of 46.
 Loving and beloved in his private circle
 Both for the powers of his mind and the virtues of his heart
 Universally respected.
 He died regretted by all who had known him
 Either as a Master or a friend.
 His sorrowing Pupils caused this stone to be erected
 As a Monument of their affection and esteem.

Mr. Wilkinson was succeeded by the Rev. John Harrison Evans, who was third wrangler, and in the first class in the classical tripos in 1828, and for more than twenty years an able and honoured master of the school. The number of scholars increased considerably, and at one time there were 110, so that the master's house was enlarged for the reception of boarders. Before Mr. Evans left, however, in consequence of his failing health, and also, perhaps, the establishment of other schools in the neighbourhood, the numbers had fallen again, and when he left were about 50. Mr. Evans resigned, on account of ill-health, in 1861, much regretted by his scholars, and by the inhabitants of the town and parish in general, who gave him a handsome silver salver, as a token of their affection and respect.

Some time previous to this a number of Mr. Evans' former scholars wished to present him with a testimonial, and, having collected a considerable sum of money, they asked him in what form the testimonial would be most acceptable. Mr. Evans desired that the money should be spent upon a reading-room for the town, which was accordingly done, and the Reading-room and Market-house now standing in Sedbergh Market Place are the result of his generosity.

He was succeeded by the Rev. Henry George Day, third wrangler, and in the first class in the classical tripos in 1854, the last master appointed by the master and fellows of St. John's College under the old system. A new scheme granted by the Endowed Schools Commission came into operation during the present year. It is as follows :—

No. 243.

ENDOWED SCHOOL COMMISSION.

County of York ; Place, Sedbergh.

Scheme for the Management of the Free Grammar School of King Edward VI. in Sedbergh, in the County of York.

PART I. — GENERAL SCOPE OF TRUST.

1. — The object of this foundation or trust shall be — (1.) To supply a liberal education for boys by means of a school or schools in the parish of Sedbergh. (2.) To promote the education of girls.

2. — From the date of this scheme all the particulars which by the Endowed Schools Acts, 1869 and 1873, are capable of being hereby repealed and abrogated, shall, so far as relates to the management of this endowment, be repealed and abrogated.

PART II. — CONSTITUTION OF GOVERNING BODY AND MANAGEMENT.

3. — The governing body, herein-after called the governors, shall ultimately, when completely formed and full, consist of 15 persons, of whom eight shall be nominated governors, and seven shall be coöptative governors. Until the appointment of

the former is completed the governing body as hitherto constituted shall, notwithstanding anything herein contained, remain unaltered.

4. — The nominated governors shall be nominated — one by the justices of the peace for the West Riding of the county of York acting in the petty sessional division in which Sedbergh is situated ; one by the justices of the peace for the West Riding of the county of York acting in the petty sessional division in which Giggleswick is situated ; two by the master and seniors of St. John's College, Cambridge ; one by the principal and professors of Owens College, Manchester ; one by the governing bodies of the Burnley Grammar School and of the Keighley Grammar School alternately ; one by the governing bodies of the Skipton Grammar School and of the Kirkby Lonsdale Grammar School alternately ; one by the governing bodies of the Kendal Grammar School and of the Penrith Grammar School alternately.

5. — The several first nominations shall be made as soon after the date of this scheme as can conveniently be managed, but in no case by the governing body of a school, unless or until a scheme framed by the Endowed Schools Commissioners for the management of such school has taken effect. Wherever alternate nomination by two governing bodies is prescribed, the first nomination shall be made by the first-named of such two governing bodies.

6. — Whenever a nomination of one or more nominated governors is to take place the governors shall give notice thereof in writing to the proper constituent body, requiring them to nominate within a period named, but not earlier than 14 days from the date of such notice, and to notify the result of such nomination in writing to the governors. Such notification signed by the chairman or other authorised officer of the constituent body shall be conclusive evidence of the nomination. Provided that no nomination shall be required to be made by the master and seniors of St. John's College, Cambridge, except during the Cambridge University term time.

7. — For the purposes of the several first nominations the provisions of the last foregoing clause, so far as they are ex-

pressed to relate to the governors, shall be taken to apply solely to the governing body of this foundation as hitherto constituted. Such governing body shall, as soon as conveniently may be after the date of this scheme, make arrangements for the purposes of such first nominations accordingly.

8. — The nominated governors shall be appointed to office for the term of five years, but on the expiry of such term may be re-appointed.

9. — If during his term of office any nominated governor becomes bankrupt or incapacitated to act, or expresses to the governors in writing his wish to retire, or omits for the space of two years to attend any meeting, the governors shall cause a record of the fact to be entered in their books, and thereupon the governor to whom such record applies shall forthwith cease to be a governor.

10. — On each vacancy in the office of nominated governor, the proper nominating body shall, as soon as conveniently may be, nominate a new governor.

11. — The coöptative governors shall, except as herein appears, be appointed to office for the term of ten years, and shall be capable of re-appointment.

12. — The first coöptative governors shall be : — The Earl of Bective, the Rev. George Platt, Warwick Pearson Boustead, James Wearing Sewart, John Herd, John Sedgwick, and Richard Inman, of whom the six last-named persons are members of the governing body of this foundation as hitherto constituted. Of these persons the two whose names stand highest on the list shall retire at the end of eight years from the date of this scheme, and the two whose names stand next shall retire at the end of nine years from the date of this scheme.

13. — The office of coöptative governor shall, except as to period of tenure, be vacated in the same way as that of a nominated governor.

14. — On each vacancy in the office of coöptative governor, some person well qualified and willing to act in the trusts of this scheme shall be appointed by the governors at their first ensuing meeting, by a resolution to be forthwith notified by them, with all proper information, to the Charity Commissioners

for England and Wales, at their office in London ; but no such appointment shall be valid until it has been approved by the said commissioners, and their approval certified under their official seal.

15. — Every governor shall, at or before the first meeting which he attends, sign a memorandum declaring his acceptance of the office of governor, and his willingness to do his duty as such, and to act in the trusts of this scheme. And until he has signed such a declaration he shall not be entitled to discharge the functions of a governor.

16. — Religious opinions or attendance or non-attendance at any particular form of religious worship, shall not in any way affect the qualification of any person for being a governor under this scheme. No teacher of any school of the trust shall be a governor.

17. — The governors shall hold meetings in some convenient place in Sedbergh, or in some other convenient place to be fixed by themselves, as often as may be found necessary for the management of the trust, and at least twice in each year, on some convenient days to be appointed by themselves, and after such notice as they shall think fit to prescribe.

18. — The governors shall, at their first meeting in every year, elect one of their number to be chairman for that year, and make regulations for supplying his place in case of his absence.

19. — A quorum shall be constituted whenever five governors are present. Whenever any decision is carried by the votes of less than a majority of the whole existing number of governors, any two governors may within fourteen days from the day of the decision demand that the decision shall be once reconsidered at a special meeting.

20. — Any two governors may at any time summon a special meeting for any cause that seems to them sufficient.

21. — All special meetings shall be convened by notice in writing to the governors specifying the object of the meeting. And it shall be the duty of the clerk to give such notice when required by any governors having a right to summon such a meeting.

22. — All matters and questions shall be determined by the majority of the governors present at any meeting ; and in case of equality of votes, the chairman shall have a second or casting vote.

23. — If a sufficient number of governors to form a quorum are not present at any meeting, or if the business at any meeting is not fully completed, those present may adjourn the meeting to a subsequent day.

24. — A minute book and proper books of account shall be provided by the governors, and kept in some convenient and secure place of deposit to be provided or appointed by them for that purpose, and minutes of the entry into office of every new governor, and of all proceedings of the governors, shall be entered in such minute book, and duly signed.

25. — Full accounts shall be kept of the receipts and expenditure of the governors, and such accounts shall be stated for each year, and examined and passed annually at the first meeting in the ensuing year, and signed by the governors then present.

26. — The governors shall cause sufficient abstracts of the yearly accounts to be prepared and published in two local newspapers. Such abstracts shall be in accordance with the provisions of the schedule hereto, unless any form is prescribed by the Charity Commissioners, in which case the form so prescribed shall be followed.

27. — The governors shall make such arrangements as they may find most fitting for the custody of all muniments, title deeds, and other documents belonging to the trust, for deposit of money, for drawing cheques, and for the appointment of agents for the conduct of their business. If any such agent is himself a governor he shall not be entitled to a salary.

28. — All lands and hereditaments, not being copyhold, belonging to the trust, and all terms, estates, and interests therein, shall from the date of this scheme vest in the Official Trustee of Charity Lands, and his successors ; and all stock in the public funds and other securities belonging to the trust, shall be transferred to and vest in the Official Trustees of Charitable Funds, by whom the dividends and income arising therefrom shall be from time to time paid to the governors or their order.

29. — All the estates and property of the trust not required to be retained or occupied for the purposes thereof, shall be let or otherwise managed by the governors, or by their officers acting under their orders, according to the general law applicable to the management of charitable foundations.

30. — Any money arising from the sale of timber or from any mines or minerals on the trust estates shall be treated as capital, and be invested in Government stock in the names of the Official Trustees of Charitable Funds, except in any special cases in which the governors may be authorised by the Charity Commissioners to apply such money or any part thereof as income.

31. — From the date of this scheme, the existing corporation of the governors of the possessions, revenues, and goods of the Free Grammar School of King Edward VI., in Sedbergh, in the county of York, shall be dissolved, and except as herein otherwise expressly provided, all rights, liabilities, and powers vested in that corporation in respect of this foundation, except any copyhold tenancies, shall be transferred to and vest in the governors created by this scheme.

32. — From the date of this scheme all rights and powers, if any, reserved to, belonging to, or claimed by, or capable of being exercised by any person or persons other than her Majesty as visitor of this trust, shall be transferred to her Majesty, and all such rights and powers, and also any like rights and powers vested in her Majesty on the 2nd day of August, 1869, shall be exercised only through and by the Charity Commissioners for England and Wales.

33. — From the date of this scheme all jurisdiction of the ordinary relating to or arising from the licensing of any master under this trust shall be abolished.

PART III. — THE GRAMMAR SCHOOL AND ITS MANAGEMENT.

34. — The Grammar School shall be a day and boarding school.

35. — The governors, under the sanction of the Charity Commissioners, may at any time enlarge or improve the present school site and buildings, or acquire another site in the parish of Sedbergh and provide suitable buildings thereon, according

to plans and estimates approved by the Endowed Schools Commissioners, or, after their powers have ceased, by the Charity Commissioners, and for these purposes may raise such a sum of money by sale or mortgage of the trust property in such manner as the Charity Commissioners shall direct.

36. — No person shall be disqualified for being a master in the school by reason only of his not being, or not intending to be, in holy orders.

37. — From the date of this scheme, or, if such date falls in a school term, then from the end of such school term, the Rev. Henry George Day shall cease to be head master under this trust, and the governors shall thenceforth pay to him the yearly sum of 450*l.* during his life, and to the Rev. Isaac Green, formerly assistant master under this trust, the yearly sum of 50*l.* during the life of the said Isaac Green.

38. — The head master shall be appointed by the governors at some meeting to be called for that purpose, as soon as conveniently may be after the occurrence of a vacancy, or after notice of an intended vacancy. He shall be a graduate of some university within the British empire. The circumstance that he has taken or made, or omitted to take or make, any oath or declaration on obtaining a degree shall not affect his qualification. In order to obtain the best candidates the governors shall, for a sufficient time before making any appointment, give public notice of the vacancy and invite competition by advertisements in newspapers or by such other methods as they may judge best calculated to secure the object.

39. — The governors may dismiss the head master without assigning cause, after six calendar month's written notice, given to him in pursuance of a resolution passed at two consecutive meetings held at an interval of at least 14 days and duly convened for that express purpose, such resolution being affirmed at each meeting by not less than two-thirds of the governors present.

40. — For urgent cause the governors may by resolution passed at a special meeting duly convened for that express purpose, and affirmed by not less than two-thirds of the whole existing number of governors, declare that the head master

ought to be dismissed from his office, and in that case they may appoint another special meeting to be held not less than a week after the former one, and may then by a similar resolution, affirmed by as large a proportion of governors, wholly and finally dismiss him. And if the governors assembled at the first of such meetings think fit at once to suspend the head master from his office until the next meeting, they may do so by resolution affirmed by as large a proportion of governors. Full notice and opportunity of defence at both meetings shall be given to the head master.

41. — Every head master previously to entering into office, shall be required to sign a declaration to be entered in the minute book of the governors, in the following form : — “ I, declare that I will always, to the best of my ability, discharge the duties of head master of the Sedbergh Grammar School during my tenure of the office, and that if I am removed by the governors, according to the constitution of the said school, I will acquiesce in such removal, and will thereupon relinquish all claim to the mastership and its emoluments, and will deliver up to the governors, or as they direct, possession of all their property then in my possession or occupation.”

42. — The head master shall reside in the dwelling-house assigned for his residence. He shall have the occupation and use of such house and of any other property of the trust of which he becomes occupant, in respect of his official character and duties, and not as tenant, and shall, if removed from his office, deliver up possession of such house and other property to the governors, or as they direct. He shall not, except with the permission of the governors, permit any person to occupy such house or any part thereof.

43. — The head master shall give his personal attention to the duties of the school, and during his tenure of office he shall not accept or hold any benefice having the cure of souls, or any office or appointment which, in the opinion of the governors, may interfere with the proper performance of his duties as head master.

44. — Neither the head master nor any assistant master shall

receive or demand from any boy in the school, or from any person whomsoever on behalf of any such boy, any gratuity, fee, or payment, except such payments as are prescribed or authorised by this scheme.

45. — Within the limits fixed by this scheme the governors shall prescribe the general subjects of instruction, the relative prominence and value to be assigned to each group of subjects, the division of the year into term and vacation, the payments of the day scholars, the number and the payments of the boarders, and the number of holidays to be given in term. They shall take general supervision of the sanitary condition of the school buildings and arrangements. They shall determine what number of assistant masters shall be employed. They shall every year assign the amount which they think proper to be paid out of the income of the trust for the purpose of maintaining assistant masters and of maintaining a proper plant or apparatus for carrying on the instruction given in the school.

46. — Before making or altering any regulations under the last preceding clause, the governors shall consult the head master in such a manner as to give him full opportunity for the expression of his views.

47. — Subject to the rules prescribed by or under the authority of this scheme the head master shall have under his control the choice of books, the methods of teaching, the arrangement of classes and school hours, and generally the whole internal organisation, management, and discipline of the school : provided that if he expels a boy from the school, he shall forthwith make a full report in writing of the case to the governors.

48. — The head master shall have the sole power of appointing and, subject to appeal to the governors, of dismissing all assistant masters, and shall determine, subject to the approval of the governors, in what proportions the sum assigned by the governors, for the maintenance of assistant masters and of plant or apparatus shall be divided among the various persons and objects for the aggregate of which it is assigned. And the governors shall pay the same accordingly, either through the hands of the head master or directly, as they think best.

49. — The head master may from time to time submit proposals to the governors for making or altering regulations as to any matter within their province, and the governors shall consider such proposals and decide upon them.

50. — The head master shall receive a fixed stipend of 200*l.* a year. He shall also receive head money calculated on such a scale, uniform or graduated, as may be agreed upon between himself and the governors, being at the rate of not less than 4*l.* nor more than 8*l.* a year for each boy. The payments of stipend and head money shall be made terminally or quarterly as the governors think fit. In each of the first three years from the date of this scheme, the head master shall receive from the trust a total income at the rate of not less than 400*l.*

51. — The governors shall make such regulations as they think right for the reception of boarders either in the house of any master upon terms sufficiently profitable to him, or upon the system generally known as the hostel system, under which the pecuniary and domestic arrangements of the boarding-house are regulated by persons directly accountable to the governors, and the profit, if there is any, accrues to the credit of the trust. Or if they think it best they may combine both systems.

52. — All boys, except as herein-after provided, shall pay such entrance and tuition fees as the governors shall fix from time to time, provided that no such entrance fee shall be more than 3*l.*, and that no such tuition fee shall be less than 8*l.* or more than 24*l.* a year. No difference in respect of these fees shall be made between any scholars on account of place of birth or residence, or of being or not being boarders. The payment for a boarder apart from tuition fees shall not exceed the rate of 45*l.* yearly in a hostel, or 55*l.* yearly in a master's house. No extras of any kind shall be allowed without the sanction of the governors, and written consent on behalf of the scholar concerned. Any boy on the roll of the school at the date of this scheme, if such date falls in a school term, shall be charged for such term with such payments only as would have been payable by him if this scheme had not taken effect.

53. — All payments for entrance, tuition, or boarding in a hostel shall be made in advance to such person as the governors

shall from time to time determine, and shall be accounted for by the person receiving them to the governors, and treated by them as part of the general income of the trust.

54. — No boy shall be admitted into the school unless he has attained the age of nine years, and no boy shall be allowed to remain in the school beyond the end of the term in which he attains the age of 19 years. And the head master shall make regulations for the withdrawal of boys from the school in cases where from idleness or incapacity to profit by the instruction given they have fallen materially below the standard of position and attainment proper for their age.

55. — Subject to the provisions established by or under the authority of this scheme, the school and all advantages of the school shall be open to all boys who are of good character, and of sufficient health, and who are residing at home with their parents, guardians, or next friends, or in some boarding-house established under the sanction of the governors. No boy, not so residing or boarding, shall be admitted to the school unless he has previously obtained the permission of the governors.

56. — Applications for admission to the school shall be made to the head master, or to some other person named by the governors, according to a printed form to be approved of by them and delivered to all applicants.

57. — The head master or other person named by the governors shall keep a register of applications, showing the date at which every application is made for the admission of a boy, the date of his admission, withdrawal, or rejection, the cause of rejection, and the age of the boy at the date of application. Provided that every person requiring any application to be entered shall pay such fee as the governors shall fix, not exceeding five shillings.

58. — Every applicant for admission shall be examined by or under the direction of the head master, who shall appoint convenient times for that purpose and give reasonable notice to the parents of those whose turn is arriving. No boy shall be admitted to the school without undergoing such examination and being found fit for admission. Those who are so found fit shall, to the extent of the capacity of the school, be admitted

in order according to the dates of their application, but if at any time there are more applicants than the capacity of the school will admit, the governors may direct that their order of admission shall be determined by competitive examination.

59. — The examination for admission shall be graduated according to the age of the boy, but shall never fall below the following standard, that is to say :— Reading easy narrative ; writing simple sentences from dictation ; sums in the first four rules of arithmetic ; the outlines of the geography of England. The governors may raise the minimum standard from time to time if they deem it advantageous for the school.

60. — The parent or guardian of or person liable to maintain, or having the actual custody of, any day scholar may claim, by notice in writing addressed to the head master, the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, and such scholar shall be exempted accordingly, and a scholar shall not by reason of any exemption from attending prayer or religious worship, or from any lessons or series of lessons on a religious subject, be deprived of any advantage or emolument in the school or out of this trust to which he would otherwise have been entitled. If any teacher in the course of other lessons at which any such scholar is in accordance with the ordinary rules of the school present, teaches systematically and persistently any particular religious doctrine, from the teaching of which any exemption has been claimed, as in this clause before provided, the governors shall, on complaint made in writing to them by the parent, guardian, or person liable to maintain or having the actual custody of such scholar, hear the complainant, and inquire into the circumstances, and if the complaint is judged to be reasonable, make all proper provisions for remedying the matter complained of.

61. — The governors and the head master, within their respective provinces, as herein-before defined, and subject to the provisions of this scheme, shall make proper regulations for the religious instruction to be given in the school.

No alteration in any regulations made by the governors respecting the religious instruction to be given in the school

shall take effect until the expiration of not less than one year after notice of the making of the alteration is given.

62. — The subjects of secular instruction shall be as follows : — English, Latin, and Greek languages and literatures, arithmetic and mathematics, geography, history, at least one branch of physical science, at least one foreign European language, drawing, vocal music. The boys shall be instructed in the foregoing subjects according to the classification and arrangements made by the head master.

63. — There shall be once in every year an examination of the scholars by an examiner or examiners appointed for that purpose by the governors, and paid by them, but otherwise unconnected with the school. The examiners shall report to the governors on the proficiency of the scholars, and on the condition of the school as regards instruction and discipline, as shown by the results of the examination. The governors shall communicate the report to the head master.

64. — The head master shall make an annual report in writing to the governors on the general condition of the school, and on any special occurrences during the year. He may also mention the names of any boys who in his judgment are worthy of praise or substantial reward, having regard both to proficiency and conduct.

65. — By way of exhibitions tenable at the school, the governors shall grant exemptions from the payment of tuition fees for such periods and on such conditions as they think fit. All such exemptions shall be given as the reward of merit only, and shall be assigned, in the case of candidates for admission, on the result of an open competitive examination, to be conducted by an independent examiner under arrangements to be made by the governors and head master, and in the case of boys already attending the school, on the report of the examiners and head master, and no exemption shall be granted to any such boy if the head master reports that he is rendered undeserving of it by ill-conduct. The governors may, under these conditions, exempt boys from the payment of the whole, or of one-half of the tuition fee, but such exemption shall in every case be liable to forfeiture in the event of misconduct or

failure to maintain a reasonable standard of proficiency. Boys so exempted shall be called and ranked as foundation scholars, and the degrees of exemption shall be further distinguished if the governors think fit. Not more than 10 per cent. of the boys shall be wholly exempt, and no further exemptions shall be allowed when the exemptions, total and partial, reach the proportion of one in every five boys in the school.

66. — The governors may also apply a further annual sum not exceeding 80% in providing other exhibitions, tenable at the school, of such value and duration as they think fit, to be given as the reward of merit, and to be competed for by boys whose parents or guardians are at the time, and have for not less than three years immediately before, been living in the parish of Sedbergh. Subject to the preference given by this clause, the exhibitions attached under this scheme to this school shall be freely and openly competed for.

67. — The governors may also, in case of special merit, and if the state of the funds admits, grant further exhibitions tenable at the school, by remitting, in the case of a hostel, or in other cases paying out of the trust funds the whole or any part of the charge for boarding, or, if they think fit, by conferring pecuniary emoluments in other ways: provided that such exhibitions do not exceed in the case of the remission or payment of the charge for boarding the proportion of one boarder in every 20, and in the case of the pecuniary emoluments in other ways under this clause, the aggregate sum of 150% in a year.

68. — If and when the funds admit, the governors shall establish one or more exhibitions, tenable for not more than four years at a university or any such place of liberal, scientific, technical, or professional education or study as they may approve. Candidates shall be elected to these exhibitions by the governors on a consideration of the reports of the head master and of the examiners.

69. — The exhibitions established under this scheme shall be tenable only for the purposes aforesaid. If the holder of an exhibition dies, his representatives shall be entitled only to the next instalment whenever payable. If the holder is guilty of gross misconduct or idleness, or wilfully ceases to pursue those

studies for the sake of which the exhibition was awarded, the governors may determine the exhibition.

PART IV. — THE MIDDLE SCHOOL AND ITS MANAGEMENT.

70. — As soon as conveniently may be after the date of this scheme, the governors shall establish on some suitable site to be purchased by them or otherwise secured to the trust, in or near the town of Sedbergh, a school, herein-after referred to as the middle school, such as will supply a useful and practical education suitable to children up to the age of 15 years, or thereabouts. For the purpose of providing such site and suitable buildings thereon, the governors may spend the sum of 1,000*l.* to be raised out of the trust estate by sale or mortgage under the direction of the Charity Commissioners, but shall not exceed that sum except with the consent of such commissioners.

71. — The middle school shall be subject to the like provisions as are herein-before contained relating to the Grammar School, so far as such last-mentioned provisions are applicable to case of the middle school, except those of clauses 66, 67, and 68, and except as the provisions referred to are varied or as is otherwise provided in the following clauses, numbered 72 to 79, both inclusive.

72. — The school shall be exclusively a day school.

73. — The head master need not be a graduate of any university. He shall receive a fixed stipend of 70*l.* a year. He shall also receive payment according to the number of boys in the school, after the manner and according to the conditions herein-before prescribed for the head master of the Grammar School, provided that such payment may be of any amount not more than 2*l.* yearly for each boy.

74. — Payments for entrance and tuition shall be made by the boys after the manner and according to the conditions herein-before prescribed for the Grammar School, provided that no such entrance fee shall exceed 5*s.*, and that no such tuition fee shall be less than 30*s.* or more than 4*l.* a year, and that the payments for tuition may be made for weekly, monthly, or quarterly periods.

75. — No boy shall be admitted into the school unless he has attained the age of seven years. No boy shall remain in the school after the end of the term in which he attains the age of 15 years.

76. — The minimum standard of examination for admission shall be reading monosyllabic narrative and writing text hand ; easy sums in the first two rules of arithmetic.

77. — The subjects of secular instruction shall be as follows : — Reading, writing, arithmetic ; English grammar, composition, and literature ; the outlines of geography, political and physical ; English history ; the elements of algebra and geometry, mensuration, and land surveying ; natural science, Latin or some foreign modern language, drawing, vocal music.

78. — In providing exhibitions tenable at the school, the governors shall arrange that they shall be competed for in the first instance by boys who are being educated at the public elementary schools in the parish of Sedbergh, and they shall make such arrangements as seem to them best adapted to secure the double object of attracting good scholars to this school, and applying a stimulus to the said public elementary schools. None of these exhibitions shall be thrown open to all comers until the head master has reported that there are not enough boys from such public elementary schools who on examination prove worthy to take them. Subject to the preference given by this clause, the exhibitions attached under this scheme to this school shall be freely and openly competed for.

79. — The appointment or dismissal of an assistant teacher shall not be valid until it has been confirmed by the governors, and the distribution of salaries among the assistant teachers shall also be fixed by the governors.

80. — Girls may be admitted to the middle school and all the benefits thereof under the same regulations and provisions as herein-before prescribed as regards boys in the middle school, or in such other manner as the governors with the advice and assent of the Charity Commissioners may determine. Provided, that no girl shall be so admitted to the school unless one at least of the teachers is a woman.

81. — In the event of an upper department being established in any school in the parish of Sedbergh, being a public elementary school in accordance with section 7 of the Elementary Education Act, 1870, the governors may, if they think fit, instead of establishing or continuing a middle school in Sedbergh, as herein-before is provided, pay to the managers of one such public elementary school for every scholar, up to the number of 30, being educated in the upper department of such school, the sum of 3*l.* yearly, subject to the following conditions :— (1.) Instruction in the subjects specified in clause 77 of this scheme shall be provided for the scholars in such upper department. (2.) No such payment shall be made in respect of any scholar for any year in which such scholar fails to satisfy the examiner or examiners, in an examination conducted under arrangements made by the governors in the subjects hereby required to be taught in such upper department. (3.) Free places for not less than 10 per cent. of the number of scholars in average attendance in such upper department shall be reserved for deserving scholars from the said public elementary schools.

PART V. — EDUCATION OF GIRLS.

82. — As soon as the said pension of 450*l.* ceases, the yearly sum of 200*l.* shall be applied by the governors in promoting the education of girls in the West Riding of the county of York. For this purpose a supplementary scheme may be made by the Endowed Schools Commissioners, or, if the powers of such commissioners have ceased, the governors shall apply to the Charity Commissioners for a scheme.

PART VI. — APPLICATION OF INCOME.

83. — The governors shall place the sum of 1,500*l.* consols to a separate account in the name of the Official Trustees of Charitable Funds, entitled “repairs and improvements.” The income shall be paid to the governors, and expended by them in ordinary repairs or improvements of the property used for the purposes of the schools of the trust, and if not wanted for that purpose shall be accumulated by them to the same account.

The governors shall draw upon the accumulations at their discretion for the purpose of any such repairs or improvements, but shall not encroach upon the capital, except for the purpose of substantial improvements or extraordinary repairs or renewals of such property, and then not without the consent of the Charity Commissioners, and under such conditions of replacing the capital as that board may think right.

84. — Until the repairs and improvements fund is provided, the governors shall treat the sum of 45*l.* a year, part of the income of the trust estates, as applicable to the same purposes as the income of the repairs and improvements fund, except that they may lay by any surplus in the ordinary methods, and need not pay it over to the Official Trustees of Charitable Funds.

85. — After defraying the expenses of management and of any ordinary repairs or improvements which the income of the repairs and improvements fund may be insufficient to answer, and providing for the said pensions and making any proper payments in respect of claims legally affecting the trust estate, the governors shall employ the income in paying the head master as herein-before prescribed, in paying the amount assigned for the assistant masters and school plant or apparatus, in paying the examiner or examiners, and in providing for such exhibitions and prizes as they may have adjudged.

86. — The governors may, if they think fit, and the trust funds suffice for the purpose, agree with the head master of each school of the trust for the formation of a fund in the nature of a pension or superannuation fund, the main principle of such agreement being that the head master and the trust fund shall each contribute annually for a period of 20 years such sums as may be fixed on ; that these contributions shall accumulate at compound interest ; that in case the head master serves his office 20 years, he shall on his retirement be entitled to the whole fund ; that in case he retires earlier on account of permanent disability from illness he shall also be entitled to the whole fund ; that in all other cases he shall on his ceasing to be master be entitled to the amount produced by his own contributions.

87. — If there is any residue of income they may employ it in increasing the fund applicable to the payment of assistant masters and school plant or apparatus, in improving the accommodation of the school buildings, in aiding the games of the scholars, or generally in promoting the spirit and efficiency of the schools of the trust, or in increasing the amount applicable for the education of girls under Part V. of this scheme. Whatever they do not think fit to spend in these ways they shall on passing the yearly accounts state as unapplied surplus, and shall deposit it in a bank ; and if the sums so deposited rise to 300*l.* they shall invest the same in Government stock in the name of the Official Trustees of Charitable Funds to the general credit of the trust.

PART VII. — GENERAL.

88. — Nothing in this scheme shall authorise the doing or omission of any act in prejudice of whatever interest was on the 1st day of January, 1873, legally vested in any boy on the foundation.

89. — The governors may receive any additional donations or endowments for the general purposes of the trust. They may also receive donations or endowments for any special objects prescribed by the donors, provided that such objects are certified by the Charity Commissioners to be for the general benefit of the trust, and not calculated to give privileges to any scholar on any other ground than that of merit, and not otherwise inconsistent with or calculated to impede the due working of the provisions of this scheme.

90. — If any doubt or question arises among the governors as to the proper construction or application of any of the provisions of this scheme, the governors may apply to the Charity Commissioners for their opinion and advice thereon, which opinion and advice when given shall be binding on the governors.

91. — The Charity Commissioners may from time to time in the exercise of their ordinary jurisdiction frame schemes for the alteration of any provisions of this scheme or otherwise for the government or regulation of the trust, provided that such

schemes be not inconsistent with clause one of this scheme, or with anything contained in the Endowed Schools Acts, 1869 and 1873.

92. — This scheme shall be printed and a copy given to every person who shall become a governor of the trust, and to every master or assistant master and teacher appointed to either school, and copies shall be sold at a reasonable price to all persons who may wish to buy.

93. — The date of the scheme shall be the day on which her Majesty by Order in Council declares her approbation of it.

We hereby signify our approval of this scheme,

(Signed)

LYTTELTON.

HUGH GEO. ROBINSON.

8th June, 1874.

Approved,

(Signed)

RICHMOND.

15th June, 1874.

The Rev. Frederick Heppenstall, late head master of the Perse School, Cambridge, began his duties as head master of Sedbergh School in September, 1875.

It will be observed that the constitution of the school is very much altered by the new scheme. It is a consolation, however, to think that this is not the first time the school has been destroyed and reconstituted ; and as three hundred years ago Dr. Roger Lupton's foundation was disendowed and apparently ruined, only to increase in glory and general usefulness, perhaps beyond his original intention, so let us hope that the recent changes, great though they may be, and unwelcome to many of us, may ultimately benefit the school, the town, and the country generally.

NOTE. — I have not found out that any great poet or musician has been born or brought up in Sedbergh, but we may claim two artists, now living and well known, Mr. J. D. Watson, who was born in Sedbergh, and Mr. Birket Foster, whose ancestors resided in the parish.

CHAPTER XV.

It will be well here to give a short account of the different benefactions made to the school.

The following is a bequest in the last will and testament of Francis Harrison, late of the Stone Hall, in Sedbergh, to poor scholars, parish born, as it was found among the papers and writings of John Mayor, M.A., formerly master of this school :—

(Date, 1614.)

“I give and bequeath to the use and benefit of such scholars as shall be born in Sedbergh the yearly benefit and profit that shall arise out of the sum of 60*l.*, which I do hereby give unto the feoffees of the school of Sedbergh to remain as a stock for ever, to be employed by the said feoffees that are and hereafter shall be for the time being, and put forth or letten out for 6*d.* the noble for the use of ye sd scholars wh shall be born in Sedbergh, and ye sd money wh shall arise out of ye increase of ye sd 60*l.* to be paid to ye sd scholars yearly, provided that such as are nearest of my kindred shall have ye benefit thereof before any strangers, any former restraint or limitation to the contrary notwithstanding, and in default of my own kindred within 5 degrees, the poorest of ye scholars born in Sedbergh shall have ye benefit thereof towards their help and maintenance and discharge of such defrayments as they shall be put unto, to be paid at the discretion of ye feoffees of ye sd school always for ye time being.”

The following two indentures (the first dated 1626) appear to relate to a small sum of money left for the same purpose :—

“The condition of this obligation is such yt if ye above bounden Samuel Handley and Adam Sawer, yr heires, and executrs, and administrators, or assignes, or some of ym, doe well and truelye contente, satisfie, and paie to ye above-named Henry Cowper and Edward Bland, yr heires, executors, ad-

ministrators, or assignes, or to some of ym, to ye use of ye poore schollers of Sedberghe, p'cell of ye moneye given by James Sidgswicke, ye full and p'fect somme of seaven poundes and elleaven shillings of good and lawfull Englishe moneye in one sole payment upon ye feaste daie of St. Luke ye Evangeliste nowe nexte cominge after ye daie present which shall be in Ann. domi. 1626, at or within ye nowe dwelling-house of ye sd Henry Cowper, situate and beinge at Pedgecroft, in Sedberghe aforsaid, without any fraud or further delaie yt yn ys present obligation to be void and of none effect, or els to stand, abyde, and remaine in full strength, force, and virtue.—SAMUEL HANDLEY, ADAM SAWERS. Sealed and delivered in presence of Edward Ward, Jo. Cowper.”

The other indenture is dated 1640, and is in very similar terms.

“The condition of this obligation is such that if the above bounden Henry Washington, of Sedbergh (blacksmyth), Myles Bland, of Sedbergh, yeoman, and George Barker, of Killington, in the county of Westmoreland, yeoman, their heires, executors, administrators, or assignes, or any of them, doe well and truely content, satisfye, and paye to the above-named Henry Cowper, of Sedbergh, gent., and Edmond Guye, of Sedbergh, yeoman, their executors, administrators, or assignes, or to some of them, the full and juste somme of 10*l.* 16*s.* 6*d.* of good and lawfull Englishe money in one whole payment, upon the 2d daye of February next cominge after the date hereof, which shall be in A.D. 1641, being a guifte given by James Sidgwick, of Sedbergh, deceased, to the use of Sedbergh scholars, to be paid at or in the nowe dwelling-house of John Bland, in Sedbergh towne, the same daie, without any devyse, fraud, or further delay, that then this obligacon to be void and of none effect or els to stand and remayne in full power, force, strength, and vertue.—HENRY WASHINGTON, MYLES BLAND, GEORGE BARKER. Sealled and delivered in the p'sence of us, viz., Leonard Metcalf, John Walton (his mark), John Bland.”

I conclude that both these indentures refer to the same sum of money, and that interest had to be paid on account of the delay. After this it does not appear that any other bequest

was made till 1710, when Mr. Posthumus Wharton left 20*l.* to the principal stock. This was lent out at interest, and 12*l.* of it was lost in 1731, yet the principal stock had increased to 133*l.*, and with the remaining 8*l.* of Mr. Wharton's bequest, it amounted to 141*l.* in 1732; so that it appears that when there were no students at college the interest was added to the stock instead of accumulating for the next applicant. From 1742, when the farm called Whins was bought, several years interest and rent of Whins was added to the stock to make up the sum of 184*l.*, which sum went towards the purchase of Whins.

Richard Holme, of Lowther, clerk, by his will dated January 28th, 1735, bequeathed 100*l.*, and some time after 1838 the full income derived from Whins and the land near it, from houses in Cockle Street, Sedbergh, and from money invested on the turnpike road, was 39*l.* 13*s.*, with 200*l.* accumulated. The capital is set down at 766*l.* 6*s.* 8*d.*

The following entries may perhaps be interesting : —

"April 23, 1679. — Some of the governors received of Matthew Burke, for consideration of the poore scholar's money due Candlemas, 1679, 7*l.* 19*s.* 7*d.*, there being 3*l.* 10*s.* thereof distributed to Edward Teasdall as a poore schollar."

"Jan. 4th, 1680. — The remainder of that money being 4*l.* 9*s.* 6*d.*, was disposed of to James Hebblethwaite, at Cambridge, saveing ye 9*s.* 6*d.*, wh was given to Edward Teasdall, yn at York."

"April 13, 1700. — 22*l.* due to poor scholars last Candlemas (none parish born being then at Cambridge but Wm. ye son of Christ. Croft), 'tis this day voted by the governors whether ye said Wm. Croft shall have the said moneys or not. Against him James Bland, Christ. Corney, Lancelot Dawes, John Warde, Henry Holme, Christ. Gawthropp, Wm. Corney. (Mem.) That Christ. Croft, ye father of William Croft, besides a paternal estate in land, had left him by an uncle's will the sum of 1,000*l.* or 1,200*l.* And, therefore, the said governors, aiming at nothing but a conscientious discharge of their trust, voted agst him as noe proper object of ye charity.

"The day and yeare above written it was voted by ye gover-nours yt the sum above-said is divided as under-writt, viz., 20*l.*

to Marmaduke Holme, son of John Holme, of Settlebeck, p'ish born, and the remainder to John, son of Robt. Bainbridge. (Signed as above.) Mem. That John Holme, the father of Marmaduke Holme, being a poore man and not able to answer his son's earnest desire of being educated some small time at Cambridge, made his humble address to the governors that they would please to apply y^t gift of charity (whereof they have the disposal) to the maintenance of his son at St. John's College. Wherefore, ye said governours, looking upon him as a fit object of the charity, and themselves obliged by their trust to gratifie his request, did by their votes grant him the summe here mentioned."

"May 15, 1717. — Then disputed among the governors for 2 years last past exhibition whether Mr. Whinfield, now at St. John's Coll. Cantab., Sedbergh born, and educated at Sedbergh School, shall have the same or no. Wisse our hands according as we vote for Mr. Whinfield. — Jonathan Rose, Jo. Brackan, Charles Atkinson, Christopher Gawthrop, Edmond Bland, James Cock, John Fawcet (*eodem die et loco*). Against him — James Simm. Refused to write their names either *pro*. or *con*. — Simon Washington, Christopher Corney, John Ward, Edw. Corney.

"John Fawcett, of Crosse Hall, not being at this meeting, his hand is to be taken the next opportunity, whether *pro*. or *con*., according to his own judgment. The same day the aforesaid 4 threw up their places."

"July 2, 1717. — Then the following persons were chosen and sworn governors of the school — John Holmes, Arthur Croxton, John Hadwin, Richard Ward. Mem. That ye exhibition money due from Mrs. Fletcher Dawes was pd to John Holmes for the use of his nephew, Mr. Jo. Whinfield, for the year 1717, and also 20 shillings more that was the interest of 20*l*. that Mr. Wharton left for the same use, as witnesseth Jo. Brackan."

The exhibition money in the year 1718 amounted in all to 24*l*. 13*s*., and was paid that year and the following to Mr. Jo. Whinfield.

Besides Dr. Lupton's foundations there was a fellowship

founded at St. John's College, Cambridge, by Mr. Heblethwaite, to be chosen out of scholars from Sedbergh School.

There were also three exhibitions founded in Christ's College, Cambridge, by Bishop Otway, of whom the following account has been kindly furnished by a friend :—

“Thomas Otway, Bishop of Ossory (Ob. 1692).

“Thomas Otway was born in Wiltshire on the 1st Nov., 1616, and educated at Cambridge, but took his degree of Doctor of Divinity in the University of Dublin, A.D. 1670. In the beginning of the great rebellion in England he was chaplain to Sir Ralph, afterwards Lord Hopton, to whom, and to the royal cause, he faithfully adhered during the troubles, and was active against the Long Parliament and Oliver the Protector. But at last he was taken prisoner and, amongst others, banished to the West Indies, where he continued until the restoration of King Charles the Second made room for his return. He was then promoted to no inconsiderable benefice in England, which he enjoyed until John, Lord Berkley, Baron of Stratton, Lord Lieutenant of Ireland (to whom he was chaplain), on the 16th November, 1670, advanced him to the united sees of Killala and Achonry, and from thence, nine years after (viz., on the 7th February, 1679), he was translated to this see (Ossory) and enthroned the 20th May, 1680; and, in his letters patent, had a commendary grant to the archdeaconry of Armagh and to the rectory thereto annexed, to hold during life or incumbency. He died in his episcopal house at Kilkenny, on the 6th March, 1692, in the 77th year of his age, and was buried in the cathedral, near the west door, as he had appointed in his will. Over his grave is placed a simple marble slab with this inscription—

‘Hic jacet Thomas Otway, Ossoriensis Episcopus, quit obiit 6th Martii
1692-3. *Ætatis sue 77.*’

He was a prelate of unshaken loyalty to his Prince, sincere, pious, humane, charitable to the poor, and in universal esteem with all ranks and degrees of men. He lived a bachelor, and what he had laid up, disposed at his death to pious uses. He bequeathed to Christ's College, in Cambridge, 500*l.*, to pur-

chase three exhibitions for three scholars, who should be entered from the school of Kirkby Lonsdale, in Westmorland ; but, for want of such, to go to the same number of scholars from the school of Sedbergh, those of the name of Otway, and of the town of Middleton, *exteris paribus*, to have always the preference."

He also bequeathed 200*l.* to Trinity College, Dublin, and sums of money to various other charitable objects in Ireland. "These things he did at his death, and in his life was not unmindful of good works." His constant charity to poor householders was very considerable ; he was also a great benefactor to his cathedral and neighbourhood.

Lastly, I would mention the Lady Elizabeth Hastings, of whose life the following particulars have been sent to me :— "She was the daughter of Theophilus, Earl of Huntingdon, was born in 1682, and died Jan. 2, 1739. She never married, and devoted herself to pious and benevolent works, and amongst others she founded ten exhibitions at Queen's College, Oxford, open to persons educated at the schools of Penrith or St. Bees, in Cumberland ; Appleby or Heversham, in Westmorland ; Bradford, Giggleswick, Hipperholme, Leeds, Pontefract, Sedbergh, Wakefield, or York, in Yorkshire. From pupils at these schools in former days a certain number was selected, and the successful candidates were chosen by lot. In later times the choice has depended upon an examination. Lady Elizabeth Hastings was buried at Ledsham, near Pontefract, where there is a beautiful marble monument with effigies of herself and two of her sisters, and an elegant Latin inscription by Mr. Barnard, master of the Grammar School in Leeds, who also wrote a life of this worthy lady."

GARSDALE.

THIS is one of the beautiful valleys which are in the old parish of Sedbergh, and through it runs the road to Wensleydale. It has a church built in 1861, in place of the old one, and dedicated to St. John the Baptist. The name of the valley is said to be derived from Garr, or Garri, a Saxon personal name; but who the said Garr may have been, or when he lived, I do not know. There was, however, soon after the Conquest, a family called "of Garsdale," for we find that William Coke, chaplain of the chapel of St. John the Baptist, in Garsdale, was paid the sum of 4*l.* 13*s.* 4*d.* for celebrating divine service for the soul of the son of Alan of Garsdale; which family appears to have founded the chantry, and probably also gave the lands upon which the annuity (4*l.* 13*s.* 4*d.*) seems to have been charged, to the Abbot and Convent of St. Agatha, near Richmond. This abbey was also at one time in possession of rights and patronage in the mediety of the advowson of St. Andrew's Church, Sedbergh; given them before the whole of the advowson was bestowed by Geoffrey le Scrope on the Abbey of Coverham; and in all probability transferred by them to Geoffrey le Scrope, who was one of their great patrons.

The Abbot and Convent of Coverham also had a small estate in Garsdale, valued at 11*s.* 4*d.* per annum, and they paid a rent to the Abbot of St. Agatha for the town of Garsdale. There are deeds in existence relative to St. Agatha's Abbey, which show that it maintained a small cell near the chapel of Garsdale, in which some of the canons were always residing, for the performance of divine service. Thomas de Staveley bestowed upon them (the canons performing divine service in the Chapel of St. John the Baptist) and their successors the whole right and claim which he had "in one estate of pasture within the precincts of Garsdale, next to the aforesaid chapel, beyond the

bridge which lieth toward the north, lying in longitude between Rotherford in the east, and Twersgill which is in the west, and in latitude between the water of the river of Garsdale, and one mound of stones which shows itself from a great distance. Wherefore," he continues, "I will and concede that the aforesaid canons make the aforesaid piece of pasture land affixed, and see that they hasten to enclose it, for their greater advantage, without any dispute from me or my heirs."

I will quote also a deed of endowment from Ralph Fitz-Alan (of which the following is a translation), as the names of places mentioned in it may be interesting : — "Know all, that I, Ralph Fitz Alan, have given, etc., to God and the Abbey of St. Agatha, and the canons serving God there, for the salvation of my soul and those of my ancestors and my heirs, my estate in Garsdale to the Chapel of St. John the Baptist, with all the buildings there, and with the whole of my property there between 2 acres, and the whole of my property between Winter-scale and Coteghyll, with my mansion there, and for the common pasturage of Garsdale and Grisedale, and my mansion of Bacunstalle, with 100 cows and the coming crops for 3 years, and with 40 mares and the coming crops for 2 years, and afterwards they shall remove the crops etc ; to be had and held all for the support of one chaplain who shall celebrate divine service in the Chapel of St. John the Baptist for ever. And the aforesaid canons shall find for the same chaplain then engaged in the celebration of divine services, as in other things, every thing necessary from their perpetual dues. With warrant and witnesses."

There is also a deed in confirmation of the above from Roger de Mowbray, the chief lord, which runs thus : — "To all, etc., Roger de Mowbray sendeth greeting in the Lord. Let all of you know that I of my intuitive piety for the safety of my own soul and those of my ancestors and my successors have given — and confirmed — all possessions in Garsdale and Grisedale, as well from the gifts of Adam de Staveley and Henry Fitz-ralph, my soldier, and Adam de Magneby, as from the gifts of Ralph, son of Alan, and Helie, daughter of Ralph, and Jordan of Hebblethwaite with all etc., — to have and to hold etc.,"

William de Kendal, son of John, parson of Betham, also gave up whatever rights he had in the valley of Garsdale; and the lordships of Garsdale belonged to the abbey, as is proved by the following acknowledgement of fealty from an early lord of Upsall:—

“On the octave of Easter, in the year of grace 1303 Michael, Lord of Upsall, took the oath of fidelity to the Lord Abbot of St. Agatha, in the chapel of St. John, of Garsdale, in the presence of the brothers there living, and recognised the Lord Abbot to be his chief lord of all possessions which the said Michael held in Garsdale, from the aforesaid Lord Abbot. And Sir Thomas of Douch, chaplain—received the oath—in the presence of witnesses, Brother John of Campsal and Brother Roger of Lancaster, then living in Garsdale.”

In spite of all the care of these ecclesiastical lords, there was, I regret to say—at some time (I do not know the exact date)—one Thomas Ulthwayt, of Garthesdell, parish of Sadber, who sought sanctuary in Durham Cathedral for driving away twenty head of cattle. The chapelry of Garsdale suffered like many other places, but in a slight degree, from the dissolution of the monasteries, and in 1615 the inhabitants petitioned as follows:—

“To the Right Honourable Sir Foulk Grevill, Knight, Chancellor of his Ma'tie's Court of Exchequer, and of his Ma'tie's most honourable Privy Councill.

“The humble petition of the poore inhabitants of Garsdale, in the countie of Yorke, most lamentable shewing—

“That whereas an annuall stipend of [figures illegible] by yere was graunted by the Abbat of St. Agatha's (who was then owner of the same daile), for the fyndeinge of one minister for divyne service att a chapple in that daile, being distant from their P'ish Church 6 myles or thereabouts, and a verie dangerous passage of mountainous way as any in the north of England. Att which chapple they bury their dead, christen, and mary. It beinge so farre from the church as in ye winter season they cannot travayle there without danger of life. Being withall so many and so poore in that daile, as there are of them above

100 households, and few of them above (illegible figure) rent per annum. That upon the dissolution of that abbey, the lands coming to the Crowne (out of which the same [illegible figure] did issue). The same was contynued to be paid by King Edward the 6th, as by deed dated 29th November Anno 5 Regni sui appeareth. And also by order and warrant from the Channcellor and Barons of the Exchequer was confirmed by the late Queen Elizabeth and still paid by the Receiver of the County of Yorke untill this last year.

“In tender comiseration, and forasmuch as by the contynuan-
 ce of ye paiement off this — p. annum by his Majestie
 (together with the help of the Lady Bowes, who allowed 5*l.* a
 year out of her charitie), a preacher is maynteyned amongst
 your supplicants att ye said chapple. To the great education
 of them, and their children being many in number, which if it
 shall not be contynued by his Majestie (as tyme out of mynde
 it hath been paid). Then your supplicants are so poore (beinge
 forced to paie all manner off tythes and dues to their Parish
 Church, whereoff they receive no benefitt of the word of God,
 being soe farr from it as aforesaid). As they arr not able to
 maynteyne service and preaching att ye said chapple, whereby
 many hundred soules young and old in that daile wold be like
 to be utterly lost for want of instruction and hearing of God’s
 word preached amongst them. A case most lamentable if it
 should befall. Most humblie therefore beseech your good
 honours (even for the glorie of God and Christ his Sone) to
 commiserate so many sealy souls. And to give order and war-
 rant to the Auditor and Receiver of the said County of Yorke
 for contynuan-
 ce of the paiement of the same — per annum
 with the arrearages for the same last year, being to so godly
 and charitable a work. The inhabitants of Garsdale in Com.
 Ebor. “Mr. Auditor Hutton. I praie your answer of this
 petition, and certifie me whether the pension — within men-
 tioned was not allowed the last year and what els you fynde
 and give me information of the true state of this matter with all
 particulars of your knowledge, for his Majestie’s most advantage
 therein.

“20 June, 1615.”

“FULKE GREVYLL.

"The said pension of —— within mentioned was not allowed the last year, for that it was alleadged by my predecessor, Mr. Auditor Paddon, that most of the lands and possessions belonging to the late Monasterie of St. Agatha (out of which it was thought this pension doth yssue) are purchased in fee simple from his Majestie. The revenues whereof were ever since the dissolution of the said monasterie charged within the receiver's accompts of Richmond —— but this pension hath yearlie bin paid for 50 yeares last past and upwards by the generall receivers of Yorkshire for the tyme beinge. Whereby it appeareth that the said pension of —— hath not bin paid out of the revenues of the said Monastery of St. Agatha, but out of the generall revenues of Yorkshire. The contynuanee whereof wil be a very charitable dede from his majestie in regard of the necessitie of a minister there for the reasons within this petition mentioned. All which I doe humblie leave to your ho. consideration.

"THOMAS HUTTON, Auditor.

"22 June, 1615."

"Upon the certificat of the auditor within mentioned let this pension be paid and so continued till there shall be any cause to the contrary.

"FULKE GREVYLL.

"27 June, 1615."

"This petition is enrolled and examined the said 27 of June, 1615, before me,

"THO. HUTTON, Auditor."

This Fulke Grevyll was the first Lord Brooke, and describes himself as "servant to Queen Elizabeth, counsellor to King James, and friend to Sir Philip Sidney."

The purchaser of the manor or lordship of Garsdale from King James the 1st was Sir William Garraway, Knight, of the city of London. He and others conveyed it with all its rights, royalties, etc., to Gilbert Nelson, James Nelson, Richard Garthwaite, John Guye, and Richard Hobson, as they said, for their own benefit, and that they might be Lords of the Manor. For some years they acted in this capacity, holding courts, dis-

training, etc., in company, part of the time with Mr. Roger Otway, to whom they had sold a portion of their rights. On the other hand many of the tenants of Garsdale said that the purchasers were only trustees for the rest of the tenants, and that the purchase was made for the general benefit. In particular they assert that the profits of the courts held were to be employed "to the maintenance of a preacher" in the said lordship. As far as I can make out the matter was decided in the tenants' favour, but there are various contradictory papers; the lords of the manor (so called) having apparently conveyed and sold some of the lands in Garsdale. There is frequent mention of a tenement called "the Priest's house, with the closes and comons to the same apperteyninge, then late in the tenure of the chanter there, of the yearly rent off 46*s.* 8*d.*," which was let (Feb. 8th, 18 James 1st) by Lady Philadelphia Scroope to George Sidgwick, Bryan Nelson, James Nelson, and John Guy; this and other lands having formerly belonged to St. Agatha's Abbey, at Richmond. In 1624, a tenement called Paradyce, with the appurtenances, was made over by Isabell Garthwaite, of Garsdale, to trustees, "To th'end and purpose that the severall inhabitants within the lordshipp of Garstall maye be the better enabled to mayntayne a preacher and have the Word of God more plentifully taught amongst them."

The parishioners of Garsdale had also a difficulty, which was decided by arbitration, as to whether they should contribute to the repairs of Dent Church, and to the payment of the minister and clerk. Finally, under the arbitration of Sir John Otway, they compounded, and for the payment of a sum of money down they were declared free of all claims for ever. Garsdale has, apparently, only once taken a part in the public affairs of the nation, and that by means of only two of its inhabitants. "In the year 1641-2 the House of Commons, by their sole authority, illegally endeavoured to impose upon the nation an engagement to defend their religion; which, though it appeared harmless, was intended to make people believe that it and their liberties were in danger from the proceedings of the Court. But at the time this protestation was signed without suspicion by most people in the parishes of Bentham, Ingleton, Thornton,

Sedbergh, Dent, and Garsdale. Two men, however, there were wiser or more courageous than their fellows, who refused to sign, and one of them justified his refusal as follows :—

“Whereas you expect my answer to this protestation ; this is briefly to certifie you, that for the othe of my allegiance, as also to the Artickles of Christian religion and maintayninge the unitie of the 3 kingdomes, I shall and will, by God’s grace, be alwaies readye to tender my othe. But as for maintaineinge the priueledges of the Parliament and the liberty of the subject, (they) are things that I doe not understand. Kings and Parliaments, you knowe, are subject to mutability ; and one of the Christian articles that I ame to be sworn unto admonisheth me to the contrary, that is, that I ought not to swear rashly. Yet never the less, if you can either certify me that they are sett out by the King’s Ma’tie’s authoritie, or that I may swear with this exception (viz.) that they be not repugnant to my othe of allegiance to the Kinge ; I am and will be ready, God willinge, to take the othe. And this liberty I hope noe good Protestant nor true subject will deny me. And so I rest yours,

“GEORGE HEBER.”

On the roll which contains this remonstrance is written :—
“The names of those who refused to make protestacon within Garsdale, parcell of the township of Dent, viz.,

“1. George Heber, gent.

“2. Abraham Nelson, chapman, who publiquely refused before the whole dale in the church.”

It appears from the registers that the damsels of Garsdale were either eminent for their personal, mental, or moral attractions, or else of a very roving turn, for they seem to have married men from all the neighbouring parishes, and some from a considerable distance. This secluded valley was also a favourite place for being married in with people of other parishes.

I have only further to mention the very distinguished man who was born here, and shall give an account of him which the late Professor Sedgwick kindly permitted me to take from

a sketch he wrote of some of those he remembered as living in Sedbergh.

A photograph from a likeness of this great mathematician, which was given by Professor Sedgwick, hangs in the Reading-room in the town, and there is a beautiful marble bust in the Church.

John Dawson was a native of Garsdale, and born in A.D. 1734. He was the son of a "statesman" in Garsdale, and though poor, and having no teaching except in the simplest elements of knowledge, no books, and no encouragement, he acquired so much learning that, in 1756, three young men took lodgings in Garsdale that they might read with him. One of these three was Professor Sedgwick's father, afterwards incumbent of Dent. Soon after this Mr. Dawson went to Lancaster, to the house of an eminent surgeon there, with whom he remained for some time, studying both medicine and mathematics with very great success; and then practised for a time as a medical man, without a diploma, took some pupils, and managed to save about a hundred guineas. With this sum he walked to Edinburgh, and entered the university as a medical student. He remained in Edinburgh until his money was exhausted, and then returned to Sedbergh on foot as he went. Here he found plenty of practice waiting for him, and by care and economy he saved about three hundred pounds, and set off, walking as before, to London. Here living was more expensive than in Edinburgh, and the money was soon spent, but the time was not lost, for Mr. Dawson made acquaintance with several men of science, finished his medical studies, and obtained his diploma. He then walked back to Sedbergh, where he settled, and "John Dawson and Ann Thirnbeck, both of this parish, were married by licence in this church on the third day of March, 1767, by W. Bateman, D.D." Mr. Dawson had an extensive medical practice, but in spite of this still continued his scientific studies, until he became one of the greatest mathematicians of his day, and his fame spread over the country. After a time he gave up his surgical practice and became a teacher of mathematics. Many Cambridge men were his pupils, amongst whom may be mentioned Professor

Sedgwick, and Dr. Sumner, the late Bishop of Winchester; and he had among them ten or eleven senior wranglers. He died, aged 86, on the 19th September, 1820.

Mr. Dawson's face, as represented on the monument erected by his "grateful pupils," looks much younger than in the likeness in the Reading-room, and must have been taken, I think, from a portrait which was exhibited among the Yorkshire worthies at the Leeds Exhibition in 1868, and was painted, I believe, by a Mr. Allen. I cannot close this notice better than by quoting Professor Sedgwick's own words in description of his "dear old master:" — "Simple in manners, cheerful and mirthful in temper, with a dress approaching that of the higher class of the venerable old Quakers of the dales, without any stiffness or affectation of superiority; yet did he bear at first sight a very commanding presence, and it was impossible to glance at him for a moment without feeling that we were before one to whom God had given gifts above those of a common man. His powerful projecting forehead and well chiselled features told of much thought; and might have implied severity, had not a soft radiant benevolence played over his fine old face, which inspired his friends, of whatever age or rank, with confidence and love." Such was the outward appearance of this good and great man; great in his natural gifts, but greater still in the perseverance and self-denial by which he obtained the means of cultivating them.

The following extract from "Beeton's Dictionary of Universal Biography" may be interesting, as giving a short account of another eminent native of Garsdale. The Rev. James Inman was "an eminent mathematician, many years professor of mathematics at the Royal Naval College, Portsmouth dock-yard. He was the oldest of Cambridge senior wranglers, his degree dating as far back as 1800, and was long celebrated in naval circles for his application of science to navigation and shipbuilding. He laboured very many years unobtrusively, but zealously, in his country's service. He sailed round the

world with Flinders, as astronomer, was wrecked with him, and took part with the late Sir John Franklin in that celebrated action in which a fleet of British merchantmen beat off the French admiral, Linois. While professor of mathematics at the Royal Naval College, he reduced to system the previous ill-arranged methods of navigation, and published several valuable works now in general use in the naval service; but he was best known by his having been the first person in England who built ships on scientific principles, and by his having educated a class of men at whose hands the promised 'reconstruction' of the British navy is to take place. Dr. Inman's translation of 'Chapman,' with his valuable annotations, is the text book on which all subsequent writers on naval architecture have proceeded." Dr. Inman was born at Garsdale Foot, near Sedbergh, 1776, and died 1859.

THE END.

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